by the commiſſioners of loans, of South Carolina and Georgia, reſpectively," preſented on the 7th of February laſt, was referred to the committee of the whole Houſe, to whom was committed on the 6th inſt. the bill making farther proviſion for extinguiſhing the debts due from the United States.

An engroſſed bill to provide for completing the valuation of lands and dwelling houſes, and the enumeration of ſlaves in South Carolina, and for other purpoſes, was read the third time and paſſed.

An engroſſed bill giving power to the ſtock-holders of the marine inſurance company of Alexandria to inſure againſt fire, was read the third time and paſſed.

An engroſſed bill to amend the act, entitled, "An act for the government and regulation of ſeamen in the merchants' ſervice," was read the third time and paſſed.

The Houſe, according to the order of the day, reſolved itſelf into a committee of the whole Houſe, Mr. *J. C. Smith* in the chair, on the report of the committee of elections, of the 10th inſt. to whom was referred, on the 30th ult. a petition of ſundry citizens of the county of Waſhington, in the ſtate of Penſylvania, complaining of an undue election and return of John Hoge, to ſerve in this Houſe as one of the repreſentatives for ſaid ſtate."

After conſiderable debate the committee roſe.

The Houſe proceeded to conſider the ſaid report of the committee of Elections at the Clerk's table, and the ſame being twice read, in the words following, to wit.

"That Wm Hoge, member of the Houſe of Repreſentatives for the eighth Congreſs, having by letter to the governor of the ſtate of Pennſylvania, dated the 15th of October, reſigned his ſeat in Congreſs; the governor, in purſuance of the proviſions made in the ſecond ſection of the firſt article of the conſtitution of the United States, iſſued a writ of election to ſupply the vacancy which had thus taken place: That the ſaid writ was iſſued on the 22d day of Oct. and the election directed to be held on the 2d day of November, eleven days after the date of the ſaid writ: That the writ was brought by the mail to the prothonotary's office in Waſhington, on the 30th of October, but not proclaimed by the ſheriff 'till the 31ſt."

"It appears to the committee, that though by the ſecond ſection of the firſt article of the conſtitution of the United States, it is made the duty of the Executive authority of the reſpective ſtates to iſſue writs of election to fill vacancies, yet by the fourth ſection of the aforeſaid article, it is made the duty of the legiſlature of each ſtate to preſcribe the times, places and manner for holding ſuch elections. It appears, however, that ſeveral elections to ſupply vacancies in Congreſs, have been heretofore held in Pennſylvania, yet on examining the laws of that ſtate, it appears that no law exiſts preſcribing the times, places and manner of holding elections to ſupply ſuch vacancies as may happen in the repreſentation in Congreſs, and conſequently if the election of John Hoge is, on this account, ſet aſide, no election can be held to ſupply the vacancy until the legiſlature of the ſtate enact a law for that purpoſe."

"By the law for the general election of repreſentatives to Congreſs for Pennſylvania, the ſheriff is to give thirty days notice before the election, and to make the returns within thirty days after it.' This election is held near five months before the expiration of the exiſting Congreſs. By the law of ſaid ſtate for ſupplying vacancies in the ſtate legiſlature, the Speakers of the reſpective Houſes ſhall iſſue writs to ſupply vacancies that may happen, giving at leaſt ten days notice. The governor, in the caſe now before the committee, has directed the election to be held on the ſame day, &c. on which the electors for Preſident and Vice-Preſident were to be choſen. There is no proof before the committee of any abuſe in the manner of conducting the election in obedience to the writ iſſued by the governor."

"While the committee are of opinion, that the legiſlature of Pennſylvania ought to have appointed as near as might be the times, as well as the places and manner of holding elections to ſupply vacancies in Congreſs, and that in ordinary caſes a longer period ought to intervene between the time of public notice and the day of holding the election, yet conſidering the ſpecial circumſtances connected with the election of John Hoge, and particularly that the election took place on the day fixed by the ſtate legiſlature for the appointment of electors for the ſtate of Pennſylvania, the committee are of opinion that John Hoge is entitled to a ſeat in this Houſe."

So much as is contained in the laſt part of the 4th clauſe was again read in the words following, to wit.

"The committee are of opinion that John Hoge is entitled to a ſeat in this Houſe."

And on the queſtion that the Houſe do concur with the committee of the whole Houſe, in their agreement thereto.

It was carried,—Yeas 69—Nays 23.

THURSDAY, December 20.

The Houſe reſolved itſelf into a committee of the whole.

Mr. Varnum in the Chair,

On the bill to amend the Charter of Alexandria. The principal feature of this bill is the extenſion of the right of ſuffrage.

A motion to ſtrike out the firſt ſection produced conſiderable debate; and was loſt by a large majority.

The bill, after undergoing ſeveral ſubordinate amendments, was reported to the Houſe, who took it into immediate conſideration, and ordered it to be engroſſed for a third reading on Monday.

The three electors of the ſtate of Delaware, met agreeably to law, and voted for Charles C. Pinckney as Preſident of the United States and Rufus King as Vice-Preſident.

The Houſe of Repreſentatives of Pennſylvania, have appointed Meſſrs. Boileau, Fergaſon, Engle, Bucher, and Lecock, their committee, to conduct the impeachment againſt Judges Shippen, Yates, and Smith: with permiſſion to employ counſel. The trial will commence on the firſt Monday of next month.

House of Representatives of South Carolina, Nov. 23.

Mr. Wilmer gave notice that he would, on Monday next, aſk for leave to bring in a bill to repeal an act, entitled, an act to alter and amend the ſeveral acts, reſpecting the importation of negroes into this ſtate.

Extract of a letter from Columbia, dated the 4th instant.

"This day came on the election of electors for Preſident and Vice-Preſident of the United States. One hundred and forty-one ballots were given in, of which

John Blake had	130
John Gaillard,	129
Thomas Taylor,	129
Joseph Blyth,	124
Joseph Calhoun,	123
Samuel Warren,	121
Arthur Simkins,	116
William Hill,	108
James Miles,	108
John Taylor, of Pendleton,	95

"the election for Senators of the United States took place the ſame day. John Gaillard, eſq. had 105 votes, out of 134 that were given, in the room of Major Butler, reſigned. General Sumter was re-elected—he had 101 votes.

"Felix Warley, eſq. is elected treaſurer of the lower diviſion without oppoſition—he had 135 votes.

"Paul Hamilton, eſq. will be the governor beyond a doubt.

"Judge Lee having reſigned his ſeat on the bench, is a candidate for comptroller. As his friends are numerous, there is little doubt of his ſucceſs."

From the American Mercury.

DIED, at Fort Stoddert, October 20th *Ephraim Kirby*, eſq. of Litchfield, in this ſtate. He was interred with the honors of war, and other marks of reſpect and eſteem—to which, as a man, an officer, and a citizen, he was eminently entitled.

Previous to his death, Col. Kirby had received a further proof of the confidence of the general government, by an appointment as a judge in the Orleans territory. His character as a profeſſional man is well known in Connecticut; and the citizens of this ſtate will, with unceaſing regret, lament the loſs of an uniform and inflexible patriot, and the firm unſhaken advocate of their rights and liberties.

Were we diſpoſed to adopt the modern and faſhionable mode of appealing to the paſſions of the people, we might call on them to come forward and open the grave—We might call on them to uncover the head honored with ſcars received in defence of our country. But appealing from the language of paſſion, to the cooler deciſions of reaſon, they will diſcharge the juſt tribute of reſpect to the departed patriot, who, while living, was equally beloved by his friends, and reſpected by his enemies.

SUPREME COURT OF PENNSYLVANIA.

SATURDAY, December 9th, 1804.

DUANE
versus
DUNLAP.

MR. DICKERSON opened the caſe for the plaintiff—this is an action of treſpaſs in which Wm. Duane is the plaintiff, for a violent aſſault and battery, committed by John Dunlap, in company with Peter Miercken, James Simmons, J. B. Bond, J. B. M'Kean, George Willing, and ſeveral others, on the 15th May, 1799. The circumſtances of this caſe even at the diſtance of five years and an half, are yet familiar to the remembrance and regret of every peaceable citizen of Philadelphia; and none of the jury could be ignorant of the impreſſion which ſtill remains on the public mind of the character of that outrage; for however parties may have been prejudiced or however they may have differed on other topics, on this aſſault in all reſpects, he believed there was but one general opinion of abhorrence—but one feeling of its barbarity and injuſtice—and of the diſgrace which it reflected on our police and laws, and the character of our city. If the interpoſition of the laws, was therefore on any occaſion called for more than on another, it was in this caſe: to bring it fairly before the jury he would go circumſtantially into its origin and its detail.

It was in general recollection, that upon ſome diſcontent being ſhewn, againſt the law for the valuation of houſes and lands, in the county of Northampton, the government of the United States had ordered a military force to march into that quarter. Part of that force was compoſed of certain corps of cavalry from this city and from other parts of the commonwealth. During the expedition, among the accounts tranſmitted from the different ſtations of the military force, ſome communications were publiſhed in the Aurora, at which exception was taken by certain officers of the cavalry; and a meeting was held at Hardy's tavern, in Market ſtreet, on the 15th May, 1799, where thoſe officers, and their troopers, amounting to thirty or more, came to a determination, to proceed to be the judges in their own caſe, to determine the extent of the crime, the meaſure of the puniſhment, and to be themſelves the executioners, of the printer of the Aurora.

After making their arrangements, and taking precautions againſt interruption or interference in the purſuit of their deſigns, they marched rank and file from the tavern to the printing office; which they entered in great force, at their head was Mr. Miercken, and it will be ſhewn that he was ſupported by the defendant, Mr. *Dunlap*, from the beginning to the end of this diſgraceful affair.

Upon forcing their way into the Aurora office, they found Mr. Duane employed at his deſk; and immediately proceeded to interrogate him as to the author of a letter which appeared in the Aurora on the 16th of April, and of another which had appeared on the preceding day, 14th May. To theſe interrogatories, Mr. Duane gave a candid and temperate reply; he refuſed giving his author, and aſſigned for reaſon that the diſcloſure of this author's name might have a tendency to influence the trial of perſons then in confinement, and who were to be ſpeedily brought to trial on a charge of reſiſting the laws; that as ſoon as thoſe trials ſhould have been concluded, he would then give them every ſatisfaction they might require. Theſe reaſons were not deemed ſatisfactory to thoſe gentlemen ſupporters of the law; and threats, menaces, and aſperſions were employed, with no better effect. It ſeems that the troops of cavalry from this city were five in number; one of which was commiſſioned by the Preſident of the United States, and the other four acting under the authority of this commonwealth, capt. M'Kean, as ſenior captain, it ſeems, was placed in front, and on his right was placed the defendant, Mr. Dunlap, and on the left flank was the redoubtable *Peter Miercken*, the others, ſome of whom have been tried and convicted, and others, who are yet to ſtand trial, brought up the rear of this formidable body of vindicators of the laws.

Upon the interrogation by Mr. M'Kean proving ineffectual, a clamor was raiſed and the exclamations were heard, of knock down the ſcoundrel, drag him down ſtairs, bring him to the market houſe and flog him. The diſtribution of their operative force was ſuch that no aid nor ſuccor could be given either by Mr. Duane's friend or by the numerous workmen, who were employed in the office; double centinels had been ſtationed over every printer—the preſſes were ſtopped,—and a back hand blow on the mouth from captain M'Kean was the ſignal for carrying their premeditated brutality into execution. Mr. Duane repelled the firſt blow, but he was ſoon ſeized upon, by the collar, by the muſcular hands of Miercken on one ſide, and by Simmons on the other, while others equally powerful of body were employed in holding the hands, and legs of their victim. In this manner he was dragged down ſtairs, and on his reaching the alley of Franklin court, he was only looſed from their ferocious gripe, to be beaten to the ground by the weighty arm of a practiſed bruiſer. After being repeatedly knocked down by Miercken, and riſing to reſiſt ſo long as he was able to riſe, when his ſtrength was wholly exhauſted, by an ingenuity in horrid cruelty, he was raiſed from the ground and held up—only to be knocked down again by the ſame hand.

In this ſtate exhauſted by bruiſes and the loſs of blood, ſtretched almoſt lifeleſs on the pavement—a ſtill further ſtretch of barbarous outrage was to be practiſed. One of theſe heroes, Mr. Simmons, was diſpatched for a cowſkin, and while Mr. Duane lay to all appearance lifeleſs, and totally helpleſs, they proceeded to beat him. It was in this ſituation, that after exhibiting an acrimony, unbecoming a man of his age, that Mr. Dunlap thought proper to exhibit his proweſs and not content with inflicting ſeveral blows with his own hands, after Miercken himſelf had been fatigued or ſatiated with cruelty, this man with hoary head declared '*the rascal has not half enough.*'

It is for this outrage the preſent action is inſtituted, and which it is your duty, gentlemen of the jury, now to try.

We ſhall produce evidence to ſubſtantiate the facts in their full extent, and it will then be your duty to inflict a penalty for damage, which ſhall be at once a compenſation for the injury to the plaintiff, a juſt and ſalutary puniſhment to the defendant, and an example which may deter others who may be diſpoſed to commit ſimilar outrages.

The firſt evidence was the depoſition of Robert Oliphant, eſq. caſhier of the bank at Norfolk, which was taken by interrogatory under a commiſſion—and is as follow.

Depoſition of Robert Oliphant, taken before Wm. Vaughan, alderman of Norfolk; Daniel Bedinger, eſq. and Auguſtus C. Jordan, commiſſioners: dated Norfolk, 14th Feb. 1804.

To the interrogatories Mr. Oliphant replied:—

That he has a perfect knowledge of the meeting at Mr. Hardy's (but cannot ſtate the preciſe day) for the purpoſe of taking meaſures, as he underſtood, for aſcertaining the author of a publication in the Aurora of date, charging the defendant and others with having lived on free quarters, while engaged on the expedition againſt the inſurgents in Pennſylvania—and in caſe the author could not be diſcovered, to ſeek redreſs in ſome other way. That the defendant was at the ſaid meeting, with perhaps twelve or thirteen others. That a variety of converſation took place, the particulars of which he does not now recollect; but it was finally determined, that capt. Joseph B. M'Kean, as higheſt in command, ſhould queſtion Wm. Duane, reſpecting the author of the before mentioned publication, and ſhould his name be withheld, that the ſaid capt. Joseph B. M'Kean was then to chaſtiſe the ſaid Duane. That the perſons preſent (at the meeting) then generally left the houſe.

That after the above named perſons left Mr. Hardy's, they proceeded to William Duane's front office, and not finding him there they went to his printing office in Franklin Court where they found him engaged in writing.—That captain J. B. M'Kean demanded the name of the author of the before mentioned publication, which Duane as often as the demand was repeated, refuſed to give, alledging that a cauſe or cauſes was then or about pending in ſome court, which circumſtance rendered it highly improper to make the communication demanded by ſaid J. B. M'Kean, but that as ſoon as the cauſe or cauſes came to a determination, the name of the author ſhould be made known. That this excited mutual altercation. Capt. M'Kean repeated his demand which Mr. Duane again refuſed; ſtating that the proceedings in which the ſaid M'Kean was then engaged was an electioneering trick; that J. B. M'Kean then ſtruck Mr. Duane, and ſaid he lied. That this action created conſiderable confuſion. That capt. Peter Miercken advancing, ſeized Mr. Duane by the collar and dragged him down ſtairs, and thence into Franklin court alley (Mr. Duane crying murder) when the ſaid Miercken undertook the chaſtiſement of the ſaid Duane, at intervals demanding the author of the publication, which was as often refuſed. Finding no proſpect of obtaining the name of the author, the ſaid Miercken ſtruck the plaintiff ſeveral times, which in one or two inſtances brought him to the ground.—That the plaintiff in attempting to ſtrike the ſaid P. Miercken received a blow from Joſhua B. Bond, which gave conſiderable diſcontent to the parties concerned—it having been determined that captain J. B. M'Kean ſhould be the perſon to chaſtiſe the ſaid Wm. Duane.—That before the ending of the affray a cowſkin was called for and ſeized by the ſaid Miercken who gave the plaintiff a ſtroke with it for each corps reſpectively, exclaiming "take that you damned raſcal."

That he does not remember to have ſeen the plaintiff receive a kick during the buſtle, but he was beaten with a cowſkin as before ſtated.

(To be continued.)

A POCKET BOOK LOST.

A reward of 5 dollars will be paid to any perſon who gives information to the printer, ſo that the owner may recover it. It was loſt yeſterday ſome where in the city, near the War-Office or in Pennſylvania Avenue. A note of the Columbia Bank for 5 dollars, and a number of receipts and memorandums were in the Pocket Book when it was loſt.

December 21. 3t.

Saint John's Day.

THE members of Federal and Columbia Lodges are requeſted to meet at the Lodge room on the 27th inſt. at 9 o'clock A. M. from which they will proceed to the church on New Jerſey avenue, where a diſcourſe ſuitable to the occaſion will be delivered by the Rev brother A. T. M'Cormick and afterwards return to the Lodge room and partake of a dinner—Brethren who are not members are alſo requeſted to attend.

Publiſhed by order of the Lodges.

Waſhington, Dec. 21—3t

WASHINGTON CITY.

FRIDAY, December 21.

A dreadful fire took place in the city of New-York on Tueſday laſt. It commenced at 4 o'clock in the morning where the old Coffee-houſe ſtands, and burnt down twenty brick and twenty wooden buildings. The loſs is eſtimated at 500,000 dollars.

PUBLIC MEETING.

HAVING received communications from the Town and County of Alexandria, which relate to the affairs of the DISTRICT of COLUMBIA, it becomes proper on my part to ſolicit a meeting of the inhabitants of Waſhington to take the ſaid communications into conſideration.——A meeting for that purpoſe is accordingly requeſted to be held at the THEATRE on Saturday the 22nd inſt. at 10 o'clock in the forenoon.

ROBERT BRENT, Mayor of Waſhington.

December 19 2t

Cheap Groceries AND CROCKERY WARE.

THE Subſcriber intending to decline buſineſs, offers for ſale, on the loweſt terms, a general aſſortment of Groceries and Crockery ware, among which are, viz. Cogniac, Jamaica, and old Peach Brandy, Port, Sherry, Naples and Malaga Wine, Cherry Bounce, Anniſeed cordial, beſt Wine Bitters, preſerved fruits in brandy, preſerved ginger Pickles, Sweet Oil, ſpices, Loaf and Brown Sugar, Coffee, freſh Teas, Sweeping Bruſhes and Scrubbing do. Spaniſh Segars, Chewing Tobacco, Muſtard, Hair Powder, Gun powder, Shot, Thread by the ounce, very cheap. &c. &c. &c.—China, Glaſs, and Crockery ware.

A perſon deſirous of following the mercantile line, in the city of Waſhington, cannot find a more eligible ſituation for buſineſs, than the one occupied now, by the ſubſcriber, for either a Dry Good or a Grocery Store, it being in one of the moſt inhabited parts of the city; the houſe is very convenient and the rent moderate. Such a perſon by applying to the ſubſcriber on the premiſes, will meet with a very cheap bargain and with every thing neceſſary for carrying on the grocery line.

J. A. XAUPI.

F ſtreet, near the Branch Bank, city of Waſhington, Dec 21 eawtf

I DISCOVERED a few days ſince (in the Telegraphe) a challenge by Samuel Norwood, Eſq. Bonaparte againſt Democrat—

At Annapolis this fall, I propoſed running Democrat againſt Bonaparte, carrying from 110 lbs to 140 at the diſcretion of Mr. Norwood; which was rejected. As Mr. Norwood refuſed the propoſition made by me at that time, I am not bound to run the race propoſed by him in the Telegraphe—Democrat will run Bonaparte over the Annapolis race courſe, on the third Tueſday in May next, four miles and repeat, for 1000 DOLLARS, play or pay, carrying 126 lbs. each; which is the weight they are to carry by the rules of racing, both being ſeven years laſt ſpring—Should Mr. Norwood decline this offer, Democrat will cover mares next ſpring at the ſubſcribers farm, from the firſt day of March until the firſt day of Auguſt, at Sixteen dollars each and Fifty cents for the groom. Democrat's pedigree is equal to the pedigree of any horſe to be produced, having in him the blood of Medly, Eclipſe, Figure, Dove, Godolphin, Arabian, and Mr. Taſkin's ſelima.

If this propoſition is approved of by Mr. Norwood, notice will be given in the Maryland Gazette within forty days from the date hereof.

ISAAC DUCKE

December 21—tawt apr. 30

TWO good HORSES and ſome good WATCHES will be RAFFLED for on moderate terms at Mr. Myer's tavern near the Centre market city of Waſhington, on Saturday evening 22nd inſt. at 6 o'clock.

Dec 21—1t

Orphans court of Prince George County December term, 1804.

ORDERED that Wm. Sprigg Bowie, Executor of Margaret Bowie, ſell the whole of the deceaſed's perſonal Eſtate, except the Negroes and Plate, on a credit of ſix months, for all ſums above twenty dollars; and for all ſums to the amount of twenty dollars and under, for caſh.

It is further ordered, that he give three weeks notice, by public advertiſement, of the time and place of ſale, and that he take bond, with good ſecurity, from the purchaſer or purchaſers thereof.

Teſt, TRUEMAN TYLER, Regiſter of Wills for Prince George's County.

Agreeably to the above order will be sold, on Thursday the 3d day of January next, at the late dwelling of Mrs. Margaret Bowie, near Nottingham, in Prince George's county, on a credit of six months (the purchaser to give bond, with approved security, bearing interest from the day of sale)

PART of the Perſonal Eſtate of the ſaid deceaſed, conſiſting of all the Horſes, Cattle, Sheep, Hogs and ſtock of every kind; a quantity of Indian Corn, Corn Fodder, the crop of Tobacco now in the houſes, all the Plantation Utenſils, Houſehold and Kitchen Furniture, &c. The ſale to commence at 12 o'clock.

Wm. SPRIGG BOWIE, Executor of Margaret Bowie.

December 13, 1804

All perſons having claims againſt the deceaſed are requeſted to preſent them to the Executor, as a ſpeedy arrangement may take place. Dec 21 , 3awjt

Columbia Academy.

THE ſcholars belonging to the Columbian Academy will deliver a number of orations and dialogues in the Ball room in the Union tavern on Saturday evening at 5 o'clock. The company of Ladies and gentlemen will be highly gratifying to the young orators.

Georgetown, Dec. 21—1t