expulsion. It would lead to the absurd conclusion that the authority given for the purpose of removing iniquity from the seats of power, should be denied its exercise, in precisely those cases, which most loudly call for its energies. It would present the singular spectacle of a legislature vested with powers of expelling its members, of impeaching, removing and disqualifying public officers, for trivial transgressions beneath the cognizance of the law, yet forbidden to exert them against capital or infamous crimes.

Those two articles were in substance borrowed from similar regulations contained in that justly celebrated statute, which for so many ages has been distinguished by the name of the great Charter of England. Yet in that country, where they are recognized as the most solid foundations of the liberties of the nation, they have never been considered as interfering with the power of expelling a member, exercised at all times by the house of commons; a power which there however rests only upon parliamentary usage, and has never been bestowed as in the constitution of the United States, by any act of supreme legislation. From a number of precedents which have been consulted, it is found that the exercise of this authority there has always been discretionary, and its process always far otherwise compendious, than in the prosecutions before the judicial courts. So far indeed have they been from supposing a conviction at law necessary to precede a vote of expulsion, that in one instance a resolution to demand a prosecution appears immediately after the adoption of the resolution to expel. In numerous cases the member submits to examination, adduces evidence in his favor, and has evidence produced against him, with or without formal authentication; and the discretion of the house is not even restricted by the necessary concurrence of more than a bare majority of the votes.

The provision in our constitution which forbids the expulsion of a member, by an ordinary majority, and requires for this act of rigorous and painful duty, the assent of two thirds, your committee consider, as a wise and sufficient guard against the possible abuse of this legislative discretion. In times of heat and violent party spirit, the rights of the minority might not always be duly respected if a bare majority could expel their members, under no other control than that of their own discretion. The operation of this rule is of great efficacy both over the proceedings of the whole body, and over the conduct of every individual member. The times when the most violent struggles of contending parties occur, when the conflict of opposite passions is most prone to excess, are precisely the times when the numbers are most equally divided. When the majority amounts to two thirds, the security in its own strength is of itself a guard against extraordinary stretches of power. When the minority dwindles to the proportion of one third, its consciousness of weakness dissuades from any attempts, to encroach upon the rights of the majority which might provoke retaliation. But if expulsion were admissible only as a sequel to the issue of a legal prosecution, or upon the same principles and forms of testimony, which are established in the criminal courts, your committee can see no possible reason why it should be rendered still more imbecile by the requisition of two thirds to give it effect.

It is now the duty of your committee to apply the principles which they have here endeavored to settle and elucidate, to the particular case upon which the Senate have directed them to report. The bills of indictment found against Mr. Smith, at the late session of the circuit court of the United States, at Richmond (copies of which are herewith submitted) are precisely similar to those found against Aaron Burr. From the volume of printed evidence communicated by the President of the United States to Congress, relating to the trial of Aaron Burr, it appears that a great part of the testimony which was essential to his conviction upon the indictment for treason was withheld from the jury, upon an opinion of the court that Aaron Burr, not having been *present* at the overt act of treason alleged in the indictment, no testimony relative to his conduct or declarations elsewhere, and subsequent to the transactions on Blannerhassett's island, could be admitted—and in consequence of this suppression of evidence, the traverse jury found a verdict "that Aaron Burr was not proved to be guilty under that indictment by any evidence submitted to them." It was also an opinion of the court that none of the transactions of which evidence was given on the trials of Aaron Burr did amount to an overt act of *levying war*, and of course that they did not amount to treason. These decisions forming the basis of the issue upon the trials of Burr, anticipated the event which must have awaited the trials of the bills against Mr. Smith, who, from the circumstances of his case, must have been entitled to the benefit of their application:—they were the sole inducements upon which the counsel for the United States abandoned the prosecution against him.

Your committee are not disposed now to question the correctness of these decisions, on a case of *treason*, before a court of criminal jurisdiction. But whether the transactions proved against Aaron Burr did or did not amount in technical language to an overt act of levying war, your committee have not a scruple of doubt upon their minds, that but for the vigilance and energy of the government, and of faithful citizens under its directions, in arresting their progress, and in crushing his designs, they would in a very short lapse of time have terminated not only in war, but in war of the most horrible description—in war at once foreign and domestic. As little hesitation have your committee in saying, that if the day light of evidence, combining one vast complicated intention, with overt acts innumerable, be not excluded from the mind by the curtain of artificial rules, the simplest understanding cannot but see, what the subtlest understanding cannot disguise—crimes before which ordinary treason whitens into virtue—crimes, of which war is the mildest feature. The debauchment of our army—the plunder and devastation of our own and of foreign territories—the dissolution of our national Union, and the root of interminable civil war, were but the means of individual aggrandizement—the steps to projected usurpation. If the ingenuity of a demon were tasked to weave into one composition all the great moral and political evils which could be inflicted upon the people of these states, it could produce nothing more than a texture of war, dismemberment and despotism. Of these designs, a grand jury, composed of characters as respectable as this nation can boast, have upon the solemnity of their oaths, charged John Smith with being an accomplice. The reasons upon which the trial of this charge has not been submitted to the verdict of a jury, have been shewn by your committee, and are proved by the letter from the attorney of the United States for the district of Virginia, herewith reported. And your committee are of opinion that the dereliction of the prosecution, on these grounds, cannot in the slightest degree remove the imputations which the accusation of the grand jury have brought to the door of Mr. Smith.

Your committee will not permit themselves to comment upon the testimony which they submit herewith to the Senate—nor upon the answers which Mr Smith has given as sufficient for his justification. Desirous as the committee have been that this justification might be complete, anxiously as they wished for an opportunity of declaring their belief of his innocence, they can neither control nor dissemble the operation of the evidence upon their minds, and however painful to their feelings, they find themselves compelled by a sense of duty, paramount to every other consideration, to submit to the Senate, for their consideration, the following resolution.

Resolved, That John Smith, a Senator from the state of Ohio, by his participation in the conspiracy of Aaron Burr, against the *peace, union*, and *liberties* of the people of the United States, has been guilty of conduct incompatible with his duty and station as a Senator of the United States, and that he be therefor, and hereby is expelled from the Senate of the United States.

SUBSCRIBERS in Arrears *are requested to forward without delay their respective dues. As this paper almost entirely depends for support on the regular payment of the subscriptions, this request must be complied with, otherwise the Editor will be constrained, however reluctantly, to discontinue the paper, notwithstanding the deeply interesting nature of the crisis.*

CONVEYANCING.

THE Subscriber having been deprived of his usual means of support for his family by an occurrence as unforeseen as distressing, is compelled to offer his services to the public as a *Conveyancer, Accountant, & Copyist.* Having been accustomed for many years to this kind of business, he flatters himself with being able to give satisfaction to those who may employ him in any of these professions.

NICHOLAS B. VAN ZANDT,
near the Capitol, Washington city.
January 4—4t

WAS Committed to my custody as a runaway on the 24th instant, a negro man, who calls himself by the name of EDGAR, and says he belongs to a man by the name of John Love, living at the Old Court House. Fairfax county Virginia. He is about six feet high, and about fifty-five years of age, his cloathing is so indifferent that they cannot be described. His owner is desired to take him away or he will be sold for his expences according to law.

JOHN FLEMING, Sheriff
of Montgomery county, Md.
January 4—3t

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50 DOLLARS REWARD.

RAN-AWAY from the subscriber, on the 26th December, a negro man, by the name of WILLIAM, calls himself *William Chase*, though I suspect he has changed his name. Said fellow was formerly the property of Wilkerson Brashears, deceased, who manumitted him, together with several others, all which have been since sold by order of the Chancellor for the payment of debts; I suspect said fellow has with him a pass, or a copy of his manumission—He is a stout fellow, and rather of yellow complexion, and lisps when speaking; has taken with him a considerable number of clothes; the clothing which he had on when he went away, was a round jacket and trowsers of striped country kersey. I suspect he will make for the state of Pennsylvania. Whoever secures said fellow, so that I get him, shall receive the above reward, including what the law allows; if taken fifty miles from home, and so in proportion for a less number of miles.

RICHARD DUVALL.
Prince George's county Maryland,
January 4, 1808—3t

WASHINGTON CITY.

MONDAY, JANUARY 4.

As customary, the President was on Friday waited on by a large concourse of individuals to congratulate him on the New Year. The company was composed of foreign ministers, members of Congress, the Executive and judicial officers, strangers and citizens, with a large and brilliant assemblage of ladies. Liberal refreshments were distributed, and pieces of instrumental music played at intervals. On no similar occasion has there been a larger or more respectable assemblage of persons.

It is no part of the character of a republican to be lavish of personal attentions on public men; but on this occasion the spontaneous tribute of respect to a man whose whole life has been zealously devoted to the service of his country was no less honorable to those who paid than to him who received it.

ASSIZE OF BREAD,
For January, 1808.

Single Loaf	27 ounces,
Double Loaf	54 ounces.

Price of Flour 5 dollars per barrel.
ROBERT BRENT, Mayor.

We learn from Annapolis, that Mr. Spencer, a delegate from Queen Ann's county on Tuesday last, obtained leave to bring in a bill, "To prevent for a limited time the sale of lands or tenements, goods or chattels, on writs of execution, and for other purposes therein mentioned." We understand the object of this bill is, to prohibit, during the existence of the present embargo, sales of all real and personal property by execution; and thereby to prevent a general sacrifice of property, to monied capital, and nefarious speculation.

Balt. Ev. Post

The Legislature of Jamaica have resolved that the Commissioners of Correspondence be directed to instruct the agent to apply to his majesty's ministers in the event of a war between Great Britain and the United States of America, that such measures may be taken as will enable the governor or lieutenant governor of this island to grant licences to vessels of that nation trading to this country, with the articles they are now permitted to bring to, and take from, this island, in a manner similar to the existing licenced trade between his majesty's West India dominions and the enemy's colonies, under the provisions of the present free port law.

Kingston paper.

From the London Morning Chronicle.

It has been much reported these few days, that ministers have it in contemplation to adopt some "vigorous measure," as it is called, to counteract the effects of Bonaparte's hostility to our commerce. It certainly is very desirable that such hostility should be counteracted; but the question is, how? And it seems that most of the projects of this sort, instead of being fitted to counteract, are admirably calculated to co operate with that hostility. To declare France, and all the States she occupies or controls, in a state of blockade, is very easy, & perhaps it would not be difficult to render commercial intercourse with these states extremely difficult, without our permission; but what then? Is it probable that by declaring and enforcing that blockade we should attain the grand desideratum of compelling Bonaparte and his allies, or vassals, to purchase every thing they want after it has paid duties in England? If such an effect could be realized, it would indeed be very satisfactory to this nation. But that seems rather a specious and boastful pretension, than a calculation on which a Statesman can venture to proceed. It is to be observed, that Bonaparte's mandates and prohibitions, though earnestly meant for the destruction of our commerce, can have but a limited success. Many of the articles with which we supply the continent, made necessary from habit, could not easily be dispensed with. By the innumerable evasions to which nations to whom particular articles are useful or necessary always resort to procure a supply of them, such goods find their way to the consumer, and the prohibition only makes him pay the more for them. But these evasions are practised by neutrals, and it is perfectly notorious that perjuries, fabricated papers, &c. have been resorted to in the intercourse England had with hostile states in defiance of Bonaparte's proclamations. By adopting, then, a measure which absolutely takes away all neutral navigation, we should give effect, nay certainty, to that which Bonaparte has in vain attempted. France admits no vessels coming from England. England (now as to several flags) permits no vessels to enter the ports of France, and this very regulation adopted by England becomes a rule to detect all simulated and fabricated papers, and thus, as far as England is concerned, Bonaparte by the aid of her own acts, gains his object in putting a stop to her commerce. The English government co-operates with him as to this end as effectually as his battalions of tide-waiters and custom house officers.

But then it is said, France and her allies would be deprived of all the commodities they receive from other nations, and of a market for her own produce; and therefore Bonaparte would either be obliged to buy, and let his vassals buy whatever they wanted, after it had paid duties to England, or would be compelled to do without them. Of the two alternatives, the latter is that which seems more likely to be fulfilled, if not completely, yet pretty nearly. In peace and in war, it has been Bonaparte's policy to make France manufacture for herself in every thing; and in forcing the success of manufactures (whether on the whole that forcing of manufactures be wise, is not the question), prohibitions, and high duties tending to prohibition, of foreign rivals, have always been among the principal contrivances employed. Now Bonaparte's prohibition being so strictly enforced on his views of policy, it seems by no means likely that he will submit to become tributary in the way proposed, for those articles, which France derives at present through neutrals. In reasoning on this subject it is easy to see that colonial produce is the principal thing to which men look, even when they profess to reason generally. With respect to our manufactures, it seems pretty clear that Bonaparte wishes totally to exclude them, and that he will neither indirectly or directly enter into any compromise to obtain them. It is colonial produce then which we expect to make him take after it has paid English duties. Now, whatever may be thought in London, we believe there are few persons acquainted with the present state and manners of France, who considers colonial produce as indispensible to that nation. Nay, we are much inclined to think, that so far from mitigating his prohibitions, and consenting to admit colonial produce which has paid duty in England, Bonaparte is quite disposed to prohibit it entirely in the present circumstances, provided he can, along with it, prohibit English colonial produce being consumed in France, and if no neutral shall be able to bring it to France but through England (which the vigorous measures proposed assume) it is quite certain that he would prohibit it. The consequence would be, that either the cultivation of the French islands would be stopped altogether, or possibly a part of their produce would come to England. But if the prohibitions in France and her dependants were maintained with strictness, which is probable, it is by no means clear that we should get the sugar and coffee brought to England off our hands. We might bring all the sugar raised in the West Indies to England; but if neutral navigation were placed upon the footing to which the regulations of Bonaparte on the one hand, and the auxiliary regulations of England on the other, would reduce it, it is extremely doubtful, whether there would be a market for an article now raised in a much larger quantity than is required. In fact, it is this excess of quantity beyond the effective demand, that is a main cause of the distress of the West India planters. The removal of the competition of the French and Spanish sugars now brought to Europe by the Americans, might tend to raise the value of ours, unless the prohibitions of Bonaparte, and our own vigorous measures against neutrals, co-operating with him, did not in the end discourage the consumption in foreign parts, and lessen the demand on the whole. Thus, even this measure, so sanguinely represented as the one thing needful, might be of no service whatever to the West India planter.

Upon the whole, it appears probable that the vigorous measures talked of would assist Bonaparte's objects, and facilitate the rendering both France and other countries, from the habits of privation, either able to dispense with our manufactures, or by the encouragement given to their domestic industry, enable them to supply themselves. It is well known how many manufactures in England have been forced by such prohibitions, and the supply taken out of the hands of foreigners. The cheapness and excellence of our manufactures enable them to overcome great difficulties; but we rather incline to think, that if, in addition to Bonaparte's prohibitions, we were, by putting down neutral navigation, to impede still farther their circulation, the foreign consumption of them might in the end be greatly reduced, and either the use of them be abandoned, or by their dearess other nations would be tempted to manufacture for themselves.

It perhaps may be doubted too, whether by all the strictness of blockade we could maintain, and by keeping France on the lowest allowance of what she herself produces and manufactures, we should cause any very considerable pressure upon her, so as to bring her to a pacific disposition. In the mean time we should, in all probability, narrow the consumption of every article we raise or sell. The idea of making England the grand depot, and compelling, even in time of war, all nations, friends and foes, to buy from us alone, is a vapour. It is the visionary rant of speculating projecting merchants which may impose on shallow people; but it is supported by no experience. It is contrary to probability, and though proceeding upon them, it makes no allowance for those extraordinary circumstances of Europe which it is thought require the attempt to be made, but which, in a particular manner tend to disappoint its success.

The justice of retaliating upon France those difficulties she endeavours to impose upon us may readily be conceded, but we do not think the policy of the measures spoken of sufficiently demonstrated.

WASHINGTON CITY.

JANUARY 4, 1808.

Mr. Monroe left this place last evening for Richmond.

It is rumoured that Mr. Rose still remains on board the frigate Statira in Hampton Roads. He is said to have caused certain explanations to be asked relative to the treatment the frigate would receive. The collector of Norfolk being absent his deputy declined taking upon himself the responsibility of any definitive reply. As, however, the proclamation of the President explicitly provides for this very case, it is scarcely conceivable that any serious difficulty can occur. But it is to be regretted that any trivial circumstance should have caused the delay which will in all probability be produced.

The Enquirer of the 31st ult. says it is reported in this city (Richmond) that Mr. Rose had taken a pilot boat, and sailed up the Potomac for Washington.

New York, December 30.

The British Packet got under way and stood to sea this morning, having been detained since yesterday by a calm and head winds. Lest some misapprehension should arise at a distance in consequence of the fact stated in last evening's paper, that she was brought to and stopped by a Gun-Boat; we are desired to add, that this proceeded entirely from a misconstruction of his orders by the captain of the Gun-Boat, and that orders were sent off in a gig for the release of the Packet, immediately on Captain Chauncy's being advised of the circumstance. Capt. C. also came directly over from Brooklyn, and explained the accident to the entire satisfaction of the British Consul.

Extract of a letter from a respectable correspondent in London, dated Nov. 30, 1807.

"Cuba, Martinique and Guadaloupe, will be, it is believed, declared in a state of blockade in a few days. We also expect to see further restrictions on neutral trade to the continent."

We have received Halifax papers to the 19th inst.—In the late papers we find an address, presented to vice-Admiral Berkely, from the House of Assembly of the province of N. Scotia, expressive of their "high respect, esteem and gratitude for his services to the country." In Ad. Berkeley's reply, dated Dec. 17, we notice the following extraordinary assertion—"As yet, I have *no official intelligence* of my removal from this command."

To the Senate and House of Representatives of the United States.

I communicate to Congress the inclosed letters from governor Hull respecting the Indians in the vicinity of Detroit residing within our lines. They contain information of the state of things in that quarter which will properly enter into their view in estimating the means to be provided for the defence of our country generally.

TH: JEFFERSON.

Dec. 30, 1807.

Detroit, November, 1807.

Sir,

In consequence of your letter of the 27th Sept. last, containing the instructions of the President, to be communicated to the Indians, I have called together a number of the Chiefs of different nations, and delivered to them the following speech:

My Children,

I have received a speech from your Great Father, of the seventeen fires, with directions to communicate it to you. I do it with pleasure, because the advice in it is a further evidence of his paternal care. It is designed for your own good and the good of your women and children—listen to it with attention, and seriously consider its contents.

Your Father the President of the United States, desires to recall to your minds the paternal policy pursued towards you by the United States, and still meant to be pursued; that the United States never wished to do you an injury; but on the contrary to give you all the assistance in their power towards improving your condition and enabling you to support yourselves and your families. He observes that a misunderstanding having arisen between the United States and the English, war may possibly ensue; that in this war it is his wish the Indians should be quiet spectators, not wasting their blood in quarrels which do not concern them; that we are strong enough to fight our own battles, and therefore ask no help; and if the English should ask theirs, it should convince them that it proceeds from a sense of their own weakness which would not augur success in the end; that at the same time as we have learnt that some tribes are already expressing intentions hostile to the United