possessed the power to institute an enquiry. It did not follow that they possessed this power merely because the constitution had not prohibited it to them; and the constitution had certainly not given it to them. The gentleman from New-York (Mr. Gardenier) had told them that if they could control the master they had power over the servant. Mr. F. said this did not follow as a correct conclusion. The House could impeach the judges of the Supreme Court, but could not remove a Clerk of the same court; they could delegate the power, but could not exercise it themselves. For what purpose should the enquiry be made? When made, could they effect any object by it? No. And why? Because the constitution had reserved to this House a power to remove the superior officer, who alone could remove the inferior. If gentlemen thought fit to bring forward a resolution to enquire into the propriety of impeaching the superior officer, and showed cause for it, no objection could be made.

While gentlemen were so extremely careful to guard the constitution from violation, he begged they would not tresspass on it themselves; while they complained of a supposed breach of trust by a public officer, he hoped not to see it realized in this House. The constitution had confined the power of the House within a certain limit; and when they exceeded that limit, they violated the constitution.

The gentleman from New-York had told the House that he hoped what had been denied in the palace would not be refused here. Mr. F. asked what had been denied in the "palace." The gentleman from New Orleans had told them that the evidence did not relate to the subject, and that it was not sufficient for conviction of any person. The gentleman from New-York had also stated that if the House transmitted this evidence to the President without referring it to a committee, they would be left in the same situation as they were now, because the gentleman from New Orleans would keep his word as he always did. The gentleman from New Orleans might consider this as a compliment; Mr. F. was willing all the honor intended should attach to him, but he did not believe that gentleman was possessed of such principles; he did not believe any gentleman was so lost to the honor of his country as to suffer private pique to seal his lips when called upon to give evidence by any authority whose duty it was to enquire. Would the gentleman indeed decline in such a case? It was impossible that he could. Mr. F. could not have so contemptible an opinion of any gentleman whatever as to suppose that his love of country would not triumph over private animosity.

The same gentleman from New-York had very emphatically asked when would the cup of guilt be full? Mr. F. said, when gentlemen came forward to justify treason, when they attempted to paralize all the exertions made to arrest such nefarious plans as those of the late conspiracy—then would the cup be full; then would the distraction of the country be complete.

But, the House were told, this officer had violated the constituon. How had he violated the constitution? In arresting traitors? And should traitors alone enjoy all the constitutional rights? Mr. F. said this man also had rights. Let him have a fair enquiry. Why influence the public mind and blazon his guilt (if guilty) from this source? Why had not the prosecution been pursued in the courts of justice? Why had not this information been given to the President? Why was it brought to this House? Let it be brought forward properly. He believed when the evidence adduced was examined, it would not bear the light.

Mr. F. had no doubt that Burr and all his friends would rejoice that all the evidence against them should be arrested in any way; and whatever were the guilt or innocence of Gen. W. it would be proper that the thing should pursue the usual course. He could not see why this had been brought into the House, or why it was pursued and insisted on while an enquiry was progressing in the proper way. Believing this enquiry not to be within their constitutional power, & no necessity to exist for it, if it were, he should give his vote against it in every stage of the business.

Mr. W. Alston said it was not his intention to detain the House one moment; he rose but with a view to state to the House that facts had been strangely misrepresented. When the gentleman from New Orleans had risen a few days ago, he had told the House that the information which he had meant to communicate, and which had been disregarded year after year, did not relate to this subject. And what was the language which had this day been held forth on the subject? "A deaf ear had been turned to the subject in the palace!" In order that he might be assured that this was an egregious error, Mr. A. said he had asked the gentleman from Orleans if he did not understand him correctly? I did understand him to say, said Mr. A. that his information did not particularly relate to this subject, and I understood him correctly: I wish it to be explicitly so stated to the House and to the nation.

Gentlemen who heard the observations this day made would attribute to them that credit which they deserved. When was it that general Wilkinson became so obnoxious to a particular part of the community? Not till his exertions had saved the country from ruin—not till he had raised his hands against Burr and his associates. Look to his appointment to office some time ago and to those who supported him; revert to the language they used at that day, and listen to their denunciation now—"Wilkinson had violated the constitution—the executive held him by the hand—his conduct was not enquired into—the representatives of the nation were therefore called upon to do that duty which the executive had neglected"—this was now the language of those who once cherished him. What could cause this wonderful change of sentiment?

The present question presented itself at every moment in a very different shape. If the object of it were merely to give to the executive information which it did not now possess, no one would object to it. The gentleman from Connecticut (Mr. Dana) had told the House that the evidence of the gentleman from N. Orleans ought to be commanded, and it could not be done but by the House—that the gentleman possessed all the privileges of a member of this House, and he doubted much whether his evidence could be procured in any other way. Would the evidence of the gentleman be taken down and delivered through the medium of newspapers as evidence for a committee of enquiry? This must be what the gentleman meant, although he cared very little whether the committee had power to enquire into it or not. Was the House in possession of any evidence whatever on this subject? Mr. A. said not. No evidence whatever had been laid on their table on this subject. There was before them a resolution on which they were called upon to decide. In making this decision had they before them any evidence on which to found their agreement to it? Let us get possession of the evidence, said he, and then the House may make a proper disposition of the resolution and of the papers bearing on the subject in their possession. If a court of enquiry had been ordered, was not that sufficient? Was not the purpose of the resolution thus answered? What other object was to be attained? He could see no other, except it were to give gentleman an opportunity to arraign the conduct of the executive, & exhaust their imagination in shear invective. He could not for his soul see, after they were informed that an enquiry was ordered, why they should enquire further.

(Debate to be continued.)

Monday, January 11.

Mr. Boyle, from the committee on Public Lands who were directed to enquire into the expediency of allowing an additional compensation to the commissioners for examining titles to land west of Pearl river, made a report recommending the adoption of a resolution declaring that it is inexpedient to grant an additional compensation to these commissioners; which was ordered to lie on the table.

Mr. Thomas asked and obtained leave of absence for twenty days.

Mr. Newton, from the committee of Commerce and Manufactures made a report at length (which shall be given in a future paper) on the memorial of the merchants of Philadelphia, praying a modification of the embargo law, so as to permit vessels cleared out at the time of the passage of that law, to go to sea, notwithstanding the embargo, made a report concluding with the following resolution:

Resolved, That the prayer of the memorialists, merchants and traders of the city of Philadelphia is unreasonable and ought not to be granted.

After some observations against immediately deciding on this report by Messrs Milnor and Lyon, and by Mr. Newton in answer, on the suggestion of Mr. Smilie, the report was referred to a committee of the whole on Wednesday next.

On motion of Mr. *Thomas*, the House resolved itself into a committee of the whole on the bill for the relief of Oliver Evans (allowing him to renew a patent which was of no effect from an informality in the original patent:) and after some time spent in discussion of it, the committee rose and reported the bill, which was ordered to a third reading to-morrow.

Mr. Clopton obtained leave of absence for 15 days.

On motion of *Mr. Randolph* the House took up for consideration the resolution submitted by him a few days since, relative to the conduct of Brigadier General James Wilkinson.

Mr. *Clarke* laid upon the table the statement which he had been requested to make by a resolution of the House on Thursday last. The statement is long, accompanied by an affidavit of Mr. Clark to the truth of all the facts therein contained within his own personal knowledge; & to the best of his belief of the truth of what was not within his own knowledge. [As this statement was not ordered to be printed, and we were not able to obtain a copy of it, we cannot at this time present it to our readers.]

Mr. Rowan moved to amend the resolution under consideration by striking out all that part after the word "Resolved," and inserting the following:

Resolved, That a special committee be appointed to enquire into the conduct of Brigadier General James Wilkinson in relation to his having at any time whilst in the service of the United States, corruptly received money from the government of Spain or its agents, and that the said committee have the power to send for persons and papers, and compel their attendance and production—and that they report the result of their inquiry to this House.

The *Speaker*, declared the amendment to be a substitute and of course not in order.

Mr. Randolph said he was decidedly of opinion, that the gentleman from Kentucky ought to have an opportunity of taking the sense of the House on his motion; he therefore withdrew the resolution under consideration: when

Mr. Rowan moved the resolution as above stated.

On this resolution a debate of some length took place, in which Mr. Randolph supported, and Messrs. Bacon, Alston, Smilie, Love & Taylor opposed the motion, when

A motion to adjourn was negatived 52 to 51.

Mr. Gardner moved that the subject be postponed till to-morrow, in order that the evidence of Mr. Clark might be printed for information. Negatived, ayes 4[illegible].

A motion to adjourn was now carried, ayes 66.

Tuesday, Jan. 12.

The *Speaker* laid before the House a report from the Secretary of the Navy in obedience to the act respecting the salaries of the Clerks in his office. Referred to the committee of Ways and Means.

Also, a report on the subject of the Navy pension fund. Referred to the committee of Ways and Means.

A bill to provide for the payment of certain expences incurred in the impeachment of Samuel Chase, was read the third time and passed.

A bill for the relief of Oliver Evans was read the third time, and (after a motion to recommit it was negatived, Ayes 30) passed.

Mr. Van Horne presented the memorial of the Mayor, Aldermen, Common Council, and many of the inhabitants of Annapolis, who state that the harbor of Annapolis might in time of war be so fortified as to afford protection to that city, and a secure harbor for craft navigating Chesapeake Bay. Referred to the Secretary of war.

Mr. Eppes, from the committee to whom was referred the petition of sundry inhabitants of the first and second wards and the memorial of the Common Council of the city of Washington, reported a bill to amend the act for the incorporation of the city of Washington. Read twice and referred to a committee of the whole.

On motion of *Mr. Rowan*, the House took up for consideration the resolution submitted by him relative to an enquiry into the conduct of Gen. Wilkinson.

The House agreeing to consider it,

Mr. Rowan moved to insert after the word agents, the following amendment: Or in relation to his having during the time aforesaid been an accomplice, or in any way concerned with the agents of any foreign power, or with Aaron Burr, in a project to dismember the Union.

Mr. Love moved to amend the amendment by adding the following: And that a fair copy of the information and papers laid on the Clerk's table relative to the conduct of the said Gen. James Wilkinson, in the matters in question, and any other papers or information which may hereafter be received by the said committee or this House be immediately transmitted to the President of the U.S.

No question was taken on either of the amendments or on the resolution.

A debate took place, not confined however to the amendments, but on the general propriety of the enquiry by this House, in which Messrs. Love, Eppes, Rowan, and M. D. Williams supported, and Messrs. Alston, Fisk, Holland, Sloan, and Upham opposed the right and propriety of passing the resolution for enquiry.

About 4 o'clock a motion was made by Mr. Smilie to adjourn, and carried, the House having decided on no one point under consideration.

[*Debate hereafter.*]

(BY AUTHORITY.)

AN ACT

Supplementary to an act intituled "An act for fortifying the ports and harbors of the United States, and for building gun-boats.

Be *it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is hereby authorized to cause such of the fortifications heretofore built or commenced, as he may deem necessary to be repaired or completed, and such other fortifications and works to be erected as will afford more effectual protection to our ports and harbors, and preserve therein the respect due to the constituted authorities of the nation, and that the sum of one million of dollars, in addition to the sums heretofore appropriated, be, and the same is hereby appropriated for that purpose, out of any money in the treasury, not otherwise appropriated.

J. B. VARNUM,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice-President of the United States, & President of the Senate.
January 8, 1808.
Approved,
TH: JEFFERSON.

TWENTY-SIX VALUABLE NEGROES FOR SALE.

On Tuesday the 26th this inst. will be sold at public sale to the highest bidder, at the dwelling plantation of the Miss Hoods, near the city of Annapolis, the above 26 negroes, consisting of men, women, boys and girls, which will be disposed of separately—one excellent black-smith that has his trade perfect, several handsome boys from 12 to 18 years of age, and girls that can be recommended as good house servants—some horses and other articles. The terms of sale is one half of the purchase money to be paid on the day of sale, and the balance a credit of six months will be given, the purchaser giving bond on interest with such security as I may approve of. No person from any of the southern states or their agents will be admitted to bid. Sale to commence at 11 o'clock and continue until all are sold by

Wm. WORTHINGTON, Sen.
Acting for the Miss Hoods.
Jan. 13——5t.

NOTICE.

The sale of property for tax due the Corporation of Washington, which was advertised for Friday last, is postponed until the second Friday in February next, at 11 o'clock A. M. at the City Treasurer's Office.

WASHINGTON BOYD,
Treasurer of Washington City.
Jan. 13——2wts.

For sale 35 Negroes,

Stock, plantation utensils, &c. at Hezekiah Wood's house, in the district of Columbia, and within one mile of the President's house. The sale will commence on the 25th inst. at 11 o'clock A. M. and the terms of sale made known on the day of sale.

THOMAS PETER and others, ex'rs of Robt. Peter, deceased.
Jan. 13——ts.

—*ALSO*—
For Sale 150 Negroes,

Together with stock, plantation utensils, &c. on the first day of February next, at Anthony Tracey's House, in Montgomery, and within two miles of Messrs. Bowie and Hersey's Mill, Seneca. The terms of sale will be made known on the day of sale.

THOMAS PETER & others,
Ex'rs. of Robert Peter, deceased.
Jan. 13 ——ts.

Taken up as a Stray on the 31st of December 1807, in Prince George's county, near Mrs. Anne Greenwell's, a Sorrel HORSE, about 15 hands high, with a blaze face, his right hind foot is white, trots and canters, no perceiveable brand, supposed to be about 12 years old. The owner is desired to come and prove his property, and pay charges and take him away.

JOSHUA FARR.
January 11——3t

A RUNAWAY.

Committed to my custody as a runaway on Friday the 9th day of November last, a negro man who says his name is *GEORGE*, that he was formerly the property of William Alexander, Virginia, by him was sold to a Mr. Robertson of Ohio, from whom he escaped when on his way home, about the first of October last. He is a well made fellow about 6 feet high, rather tawney complexion, about 25 years old; his cloathing when committed was a round grey cloth jacket, home made trowsers and oznabrigs shirt; his owner is desired to take him away or he will be sold agreeably to law for prison fees and other expences.

NOTLEY MADDOX, sheriff
of Prince Georges county, Md.
January 11——wtf

BOARDING HOUSE.

Genteel BOARDING may be had in a Private Family, next door west of the Old Bank, Georgetown—a very good Livery Stable handy.

A likely Negro girl for sale, between 12 and 13 years of age.
December 14—1aw

WASHINGTON CITY.

WEDNESDAY, JANUARY 13.

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.

The City was yesterday full of rumors relative to the arrival or near approach of Mr. Rose. He had not, however, arrived last night. Information was received at Alexandria yesterday morning about 9 o'clock of his being on board the sloop Montezuma, which was said to have been 20 miles below Alexandria the preceding night. But even this rests upon rumor.

COURT of INQUIRY in the case of Gen. Wilkinson.

On Monday, about 1 o'clock, the Court of Inquiry in the case of Gen. Wilkinson, was opened at Morin's Tavern.

Present Col. Burbeck, President, & Cols. Cushing and Williams.

The members of the Court were first sworn by Mr. Jones, the Judge Advocate, who was then sworn by the President

The Judge Advocate read an order from the Secretary of War, dated January 7, ordering in compliance with the request of General Wilkinson a Court of Inquiry, consisting of the above gentlemen, and naming Walter Jones, Judge Advocate, on the charge of General Wilkinson having been, or now being a pensioner under the government of Spain while holding a commission under the United States, with instructions to report to the department of War a correct statement of their proceedings, together with their opinion thereupon.

After a short pause the President enquired of the Judge Advocate, whether he had any papers or evidence to submit to the Court. He replied that he had not; that he had supposed Gen. Wilkinson would have intimated the witnesses he wished summoned.

A conversation then ensued among the members of the court on their course of procedure. It was observed that if the papers before the House of Representatives were to be viewed as the ground of enquiry, from the proceedings of that body it was uncertain whether they would be transmitted to the Executive (from whom it was most probable the court would receive them) and at what time, as the subject was understood to be still pending before them; that at any rate it was not likely they could be received until Wednesday. One of the members added that General Wilkinson had intimated to him, that although ready to attend the court at any time, as he supposed nothing material would be done before that day, he should not sooner attend, unless otherwise desired.

It was thereupon ordered that the court stand adjourned till Wednesday at 10 o'clock A. M.; that the Judge Advocate inform the Secretary at War, that the Court were met and had nothing before them; and that he likewise inform General Wilkinson that they were assembled and were ready to receive any thing he might have to offer.

COMMUNICATION.

GENERAL WILKINSON.

The *Court of Enquiry* demanded by this veteran officer, convened on Monday; but, for want of the necessary documents, adjourned till ten o'clock this day.

The subject of investigation is highly important, and has already excited much sensibility. It is interesting, not only to the *General* and his personal friends, but also to the army, to the government, and to the public at large. A denunciation before Congress, by a member, *once* influential, the mass of testimony already adduced, and the consequent debates of that honorable body, are naturally calculated to bias the feelings and to induce the mind to prejudge the cause. Strong, however, in conscious integrity, the general has hitherto suffered and will continue to suffer, *in silence*—confident, that the result of the enquiry will be such, as to arrest the torrent of prejudice, and to place his character on high ground. *Twenty years* of *General Wilkinson's* life has been devoted to public service; and the duties he has discharged have been highly useful to his country, and hitherto considered as equally honorable to himself. A reputation, like his, cannot easily be shaken. It is hoped the public will not be hasty in deciding on so important a case—but *pause* and *reflect*—till circumstances are fully elucidated; in short, till they have heard *both sides of the question*.

The following motion was submitted by Mr. Adams, for consideration, in the Senate, on Monday last.

Resolved, That a committee be appointed, with leave to report by bill or otherwise—and instructed to enquire, at what period the present embargo can consistently with the public interest, be removed; and whether, in what man-