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FIVE DOLLARS PER ANNUM, MONDAY, MARCH 14, 1808. PAID IN ADVANCE.

By his EXCELLENCY ROBERT WRIGHT, ESQ. GOVERNOR OF MARYLAND,

A PROCLAMATION.

WHEREAS it has been represented to me on oath that an horrid murder has lately been committed in Cecil county, by a certain *John McGuire*, on a certain *James Coyle*; the said John M'Guire is described to be about five feet seven inches high, light complexion, dark hair, boyish countenance and cast down look, aged about twenty years, stout made, strong and active—had on when he escaped an old short blue coat, linsey trowsers and swans-down vest; his wrists considerably marked with the irons and perhaps his legs also, and has lately broke jail: And whereas it is the duty of the Executive, in the execution of the laws, to endeavor to bring all malefactors to justice; I have therefore thought proper to issue this my proclamation, and do by and with the consent of the Council, offer *One hundred and Fifty Dollars Reward* to any person or persons who shall apprehend and bring to justice the said John McGuire.

Given in Council, at the city of Annapolis, under the seal of the state of Maryland, this ninth day of March in the year of our Lord one thousand eight hundred and eight, and of the Independence of the United States of America the thirty-second.

ROBERT WRIGHT.

By his excellency's command,
NINIAN PINKNEY,
Clerk of the Council.

Ordered, That the foregoing Proclamation be published twice in each week for the space of four weeks in the American, and Federal Gazette, at Baltimore; the Maryland Gazette, at Annapolis; the National Intelligencer; the Republican Advocate, at Frederick Town; the Maryland Herald, at Hagers Town, and in the Star at Easton.

March 14—2w4w

Petersburg, March 5.

REPUBLICAN FEAST.

Yesterday the republicans celebrated the anniversary of the triumph of principle, & the restoration of correct notions of government.

Never did we witness a more enthusiastic, a more harmonious spectacle. Every bosom glowed with feeling of patriotism—every tongue echoed the sentiment of the orator—"ETERNAL BE THE REPUBLIC."

The morning was ushered in by the firing of cannon; which was repeated at noon.

About twelve o'clock, a numerous collection of citizens assembled at the new church, where Mr. Burk delivered a most animated and impressive discourse. We shall not attempt to sketch an outline of this performace. It shall appear entire on Wednesday.

At four o'clock, a number of *choice spirits*, (not according to Burr's acception of the term) convened at Powell's tavern, and partook of an excellent, a sumptuous dinner—*Dr. Gilliam* presided, assisted by *General Pegram, Dr. Walker & Robert Birchett*. It was indeed a Republican Feast. It was a "family picture," where brethren of the same sentiment, animated by one soul, forgot every local or partial feeling, and on the altar of liberty, swore fidelity to the republic. It was a spectacle worthy the occasion—worthy the character and liberality of freemen.

The following toasts were drank, accompanied by the firing of cannon, and other demonstrations of joy.

1st. *The fourth of March*, 1808.—Glorious for the principles it has restored. Each revolution will exhibit it in unobscured and undiminished brightness. [*Marseilles hymn.*

2d. *The people of the U. States.*—Their voice is sometimes like the thunder, sometimes the music of the spheres. [*La Reveil du peuple.*

3d. *Thomas Jefferson*—The champion of liberty; the hero of humanity. The Ægis of his virtues, is alike proof against the *shafts* of calumny, and the *poison* of faction.

[*Jefferson's march.*

4th. *State of Virginia*—True to the glorious principles which distinguished her founders. As she was the first to unite, she will be the last to divide the American people.

[*Petersburg Rep. L. I. quick step.*

5th. *Our Sister States*—Primary planets, co-ordinate and co-eternal—They will revolve with us, forever, under the influence of moral attraction, round the common centres of Union and happiness.

[*Hail Columbia.*

6th *The Republican minority in Congress*—They have been weighed in the balances, and are found wanting.

[*The Rose Tree.*

7th. *Our next President*—His predecessor will have left him a track of glory in which to move. If by blindness or madness, he should lose his way, the American people will set him right.

[*Hail Liberty.*

8th. *James Madison*—The light of the sun is not obscured by the atoms that pass over its surface.

[*Madison and Liberty.*

9th. *James Munroe*—His name is a salient spring of ever living water. Let no one injudiciously attempt to dam the generous stream that should delight and fertilize our fields.

[*The Soldier's return.*

10th. *The Aurora*—It has been indeed a glorious morning—bright, consistent, resplendent. Its meridian has fulfilled the promise of its ascension.

[*The Sun from the East.*

11th. *General Washington*—His example will guide; his venerable shade will be with us in the battle.

[*Washington's Dirge.*

12th. *The Republicans*—Union, not a coalition "resulting from a dereliction of principle."

[*Stick close to your text, said the Vicar.*]

13th. *Domestic Manufactures*—Our industry, stimulated by our patriotic embargo, will prove to our enemies that we will be independent.

[*The Spinning Wheel.*

14th. *The Ocean*—Free to the industry of the world. The elements are in arms against the violators of its sovereignty. The decrees of Geo. III. and the arrets of Napoleon, will furnish paper for the cartridges of our warriors.

[*America Commerce and Freedom.*

15th. *The Congress of the U. States*—Their predecessors of '76 have left them no difficulty in deciding how to act in a great and national crisis.

[*Ere around the Huge Oak.*

16th. *The Militia*—In peace citizens—in war soldiers.

[*Yankee Doodle.*

17th. *The American Fair*—*Simplex munditiis.* Native simplicity and homespun elegance.

[*Drink to me, &c.*

CONSTITUTION OF THE KINGDOM OF WESTPHALIA.

NAPOLEON, by the grace of God and the Constitutions, Emperor of the French, King of Italy, Protector of the Confederation of the Rhine, willing to give a prompt execution to the 19th article of the Treaty of peace of Tilsit, and establish for the kingdom of Westphalia, fundamental Constitutions, whereby the happiness of the people who compose it may be guaranteed, and which may at the same time insure to the sovereign the means of contributing as a member of the Rhenish Confederation, to the common safety and prosperity; we have ordained and do ordain as follows:

Art. 1. The kingdom of Westphalia is to comprehend the following states, to wit:—The states of Brunswick-Wolsenbuttel; that part of Altmark, situate on the left bank of the Elbe; that part of the country of Magdeburg, situate on the left bank of the Elbe; the territory of Halle; the country of Hildesheim and the town of Goslar; the country of Hohenstein; the territory of Quedlingburg; the county of Mansfield; Eichsfeld with Treffurth, Mulhausen, and Nordhausen, and of Wernigerode; the states of Hesse-Cassel with Rintelu and Schaumberg, not including the territory of Hanau and Catzenelnbogen on the Rhine; the territory of Correy, Goettingen & Grubenhagen; the bishoprick of Osnabruck; the bishoprick of Paderborn; Minden and Ravensberg; and the county of Reiberg-Kaunitz.

2. We reserve to ourselves the half of the allodial domains of the princes, to be appropriated to the rewards which we have promised to the officers of our armies who have rendered us the most service during the present war. The taking possession of which domains shall take place, without delay, by our intendants, and the proces verbal drawn up, conjointly with the authorities of the country, before the 1st day of December.

3. The ordinary war contributions which have been laid on the said countries, shall be paid or sureties given for their payment, before the 1st day of December.

4. On the 1st day of December, the king of Westphalia shall be put in possession, by commissioners whom we shall appoint for that purpose, of the full enjoyment and sovereignty of his territory.

5. The kingdom of Westphalia makes a part of the confederation of the Rhine, its contingent shall be 35,000 men in actual service, viz. 20,000 infantry, 3,500 cavalry, and 1,500 artillerists. During the first year there shall only be in pay 10,000 infantry, 2,000 cavalry, and 500 artillerists; the other 12,500 men shall be furnished by France, and garrisoned at Magdeburg. These 12,500 shall be paid, fed and clothed by the king of Westphalia.

6. The kingdom of Westphalia shall be hereditary in the direct descent, natural and legitimate, of prince Jerome Napoleon, from male to male, by order of primogeniture, and to the perpetual exclusion of females and their descendants. In default of natural and legitimate descendants of Prince Jerome Napoleon, the throne of Westphalia shall devolve to us and to our heirs and our natural legitimate or adoptive descendants. In default of these to the natural and legitimate descendants of Prince Joseph Napoleon, king of Naples and Sicily. In default of the latter, to the natural and legitimate descendants of Prince Louis Napoleon, king of Holland. And in default of the latter, to the natural and legitimate descendants of Prince Joachim, grand duke of Berg and Cleves.

7. The king of Westphalia and his family are subject, as far as concerns themselves, to the dispositions of the imperial family compact.

8. In case of minority, the regent of the kingdom shall be appointed by us or our successors as chief of the imperial family. He shall be chosen among the princes of the royal family. The minority of the king ends at the age of 18.

9. The king and the royal family have for their maintenance a separate treasury, under the title of treasury of the crown, of five millions of francs yearly income. The revenues of the royal forests and part of the domains are appropriated to the purpose. In case the revenues of the domains should prove insufficient, the surplus shall be paid in twelve equal parts at the end of each month, out of the public [illegible].

10. The kingdom of Westphalia shall be governed according to the constitutions, which consecrate equality in law to all the subjects thereof, and the free exercise of worship.

11. The states, either general or provincial, of the countries of which the kingdom is composed, all political corporations of that kind, and all privileges of said corporations, cities and provinces, are suppressed.

12. All individual privileges are likewise suppressed, inasmuch as they are incompatible with the dispositions of the preceding article.

13. All feudal servitude, of what nature soever, and of whatever denomination it may be, is suppressed, every inhabitant of the kingdom of Westphalia being to enjoy an equality of rights.

14. The nobility shall continue to exist in its various degrees with its diverse qualifications, but without giving an exclusive right to any office, function, or dignity; or exemption from any public duty.

15. The statutes of the abbeys, priories and noble chapters are so modified, that every subject of the kingdom may be admitted therein.

16. The system of imposts shall be the same throughout the kingdom. The taxes on landed property shall not exceed one fifth of its income.

17. The system of the mint, and that of weights and measures, now adopted in France, shall be established throughout the kingdom.

18. The coin shall bear the arms of Westphalia and the effigy of the king.

19. The number of ministers shall be four, viz. One for justice and the interior, one for war, one for finances, commerce and treasury; and there shall be a minister secretary of state.

20. The ministers shall be responsible, each in their own department, for the execution of the laws, and the mandates of the king.

21. The council of state shall be composed of at least 16 members and of 25 at most, appointed by the king and removable at pleasure. It shall be divided into three sections, viz. section of justice and the interior, section of war, section of commerce and finance.

29. The states of the kingdom shall be composed of one hundred members, appointed by the colleges of departments, viz. seventy members chosen among freeholders, fifteen among merchants and manufacturers, and fifteen among the learned and other citizens who shall have deserved well of the state. The members of the states shall receive no salary.

30. They shall be renewed by one third every three years. The members whose term has expired, may be re-elected again immediately.

31. The president of states is appointed by the king.

32. The states shall meet upon the convocation ordered by the king—They cannot be convoked, prorogued, adjourned or dissolved but by the king.

34. The territory shall be divided into departments, the departments into districts, and the districts into cantons, &c.

35. The departments shall be administered by a prefect.

45. The code of Napoleon shall form the civil law of the kingdom of Westphalia commencing the 1st January, 1808.

53. The conscription shall be a fundamental law of the kingdom of Westphalia. The enlisting for money on no account can take place.

54. The foregoing constitution shall be completed by the regulations of the king discussed in his state council.

55. The laws and regulations of public administration shall be published in the bulletin of the laws, and no other form of publication shall be wanted to render them obligatory.

Given in our palace of Fontainebleau, the 15th day of the month November in the year 1807.

(Signed) NAPOLEON.
By the Emperor.
The Minister Secretary of state,
(Signed)
HUGUES B. MARET.

[In our translation of the above constitution we have omitted to notice such parts of it as relate merely to local regulations, uninteresting in the detail—such as the attributes of the state council, the interior organization of the courts of justice, & the administration of the departments, &c.]

CONGRESS.

HOUSE OF REPRESENTATIVES.

DEBATE

On Mr. Livermore's proviso to the bill concerning courts martial and courts of enquiry.

(Concluded from our last.)

WEDNESDAY, MARCH 9.

MR. SMILIE said since it had been thought proper to glance at a certain transaction, he would make a few observations on it. It is well known to the House, said he, how earnest a set of gentlemen were to have this enquiry instituted. It did not originate with us. We objected to it because we believed the method taken was not correct. The subject was however pressed upon the House by those who now express their dissatisfaction at this bill, and upon reference to the journals we shall find that the following resolution was adopted:

"*Resolved*, That the President of the U. States be requested to cause an enquiry to be instituted into the conduct of brig. gen. James Wilkinson, commander in chief of the armies of the U. States, in relation to his having, at any time, while in the service of the U. States, corruptly received money from the government of Spain, or its agents.

This resolution was adopted and transmitted to the President of the U. States. I thought it incorrect and voted against it; at the same time I declared that I wished that a fair investigation might take place into the transaction; I saw that it was necessary for the community and for the person implicated. The President takes up the subject as recommended, institutes a court of enquiry, and afterwards informs the House that the laws are not sufficient to compel the attendance of witnesses so as to have the case examined. This is the whole state of the case. What is then the duty of the House? If there is to be a trial, will any gentleman say that justice first to the community, next to the individual charged, does not require that process shall issue to bring before the court the necessary testimony? This is the object of the bill. We have heard on this floor the character of this gentleman represented in the worst point of view, one story after another, of what has been said by this or that man—have we not gone so far as to permit a witness to be examined? We have done it. Shall we recede? After hearing accusation shall we refuse this man the necessary means of defending himself? Shall we on the other hand withhold from the community the means necessary to ascertain whether this man be guilty or not? If we reject this bill, we declare that we will. Observe that I do not say that the bill may not undergo amendment; but that the bill ought to pass I do say. I have been surprized on this occasion to hear suppositions expressed that this bill would infringe the liberty of the citizen. Why, sir, if we look into the constitution and reason from analogy, comparing the situation of the citizen in the civil and military capacity, we shall see that this bill ought to pass. What was the object of the framers of the constitution? They have never mentioned the rights of a witness. The rights of a citizen accused of a crime have been sacredly guarded, while the witness has not been thought of. From the arguments we have lately heard it would appear that the rights of the witness are more sacred than those of the accused. I confess I would never subject the witness to more inconvenience than is necessary for the purposes of justice; but if we mean to do justice, whether in civil or criminal cases, witnesses must be subject to inconvenience. Justice demands it, and the constitution has sanctioned it. In speaking of civil cases the constitution says,

"ARTICLE VI. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence."

Now if the rights of the citizen are thus guarded in civil cases, does not the reason of the thing shew the necessity that our citizen soldiers should have the same right as far as the nature of our military institutions will admit? Surely no man can deny this; and it is astonishing to me that the inconvenience of the witness shall be set up against justice to the accused.

I beg gentlemen to reflect upon this subject in one view—its great importance. It does not merely affect a particular officer; every man in the U. S. from 18 to 45 may be subject to it, because the military when in service are subject to military law.—This makes the matter very important. This being the case, will you not grant compulsory process to compel witnesses to attend, in order to do justice to the community, and to protect the innocent? This is all that is intended by the bill, and I am surprized to see an opposition to it. If gentlemen mean to say that all our citizens shall be liable to be tried without the privilege of calling witnesses in their defence, let them come forward and tell us so.

MR. LIVERMORE said indeed he had no idea of trying any man without giving him an opportunity to exculpate himself; but every step they took shewed him the impropriety of thus legislating on a particular case. Gentleman have really mistaken this business, said he: I applaud their zeal, humanity, and love of justice and affection for those who are innocent; it is all very laudable and praise-worthy; but I beg gentlemen to attend to the main object, and not let their zeal, love, affection or any particular cause, operate upon their judgment, but lay aside all bias. In discussing this question, gentlemen