and that, if exparte evidence was received in favor of Mr. Smith, it could not be rejected when against him.

On reading the depositions, 17 members, being a majority, rose in the affirmative.

The counsel then read the depositions of Calvin Chamberlain, Henry Peck, jun. Ely Perry, Wm. Meeker, Daniel Wheeler, John Northrop, Luther Bulkley, Zalmon Tousy, jun. Cyrus Sprindle, James Nicholls, Solomon Booth, Oliver Tousy, Gideon Fisher, Stephen Beers, jun. N. Hays, Joseph Mehm, Solomon M. Sackriden, James Munger, Homer R. Phelps, Joshua H. Brent, Gabriel North, John T. Moore, Philip Gabehart, Cyrenus Foote, Roswell Hodgkiss, Beulah Beardsley, E. K. Granger, Henry Tyler, John B. Judson, Samuel Stephen, George Fost, Asa Tyler, Nathan T. Tyler, John S. Gano, Francis Dunlary, John Selman, Stephen M'Farland, George Gordon, Edward H. Scott, Thomas N. Sill.

These depositions are made by persons residing in the states of Connecticut, N. York and Ohio.

About 4 o'clock the Senate adjourned till the next day at 10, A. M.

IMPORTANT COMMUNICATIONS.

SENATE, APRIL 2, 1808.

The following message was received from the President.

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

Believing that the confidence and union of our fellow citizens, at the present crisis, will be still further confirmed by the publication of the letter of Mr. Champagny to Gen. Armstrong, and that of Mr. Erskine to the Secretary of State, communicated with my message of the 30th ult. and therefore that it may be useful to except them from the confidential character of the other documents accompanying that message, I leave to the consideration of Congress the expediency of making them public.

TH: JEFFERSON.

April 2, 1808.

On motion of Mr. Giles the following letters were ordered to be printed:

Washington, February, 23d, 1808.

SIR,

I have the honor to transmit to you the copies of certain orders of Council which his majesty has thought proper to issue in consequence of the hostile conduct of France towards the navigation and commerce of Great-Britain and of neutral states.

His majesty has been induced hitherto to forbear recurring to measures of this nature by the expectation that the governments of the neutral states, who have been the objects of the French Decrees, would have been awakened to a just sense of what they owe to their interests and own rights, and would have interposed with effect, either to prevent the execution of the French decrees, or to procure their abrogation.

But his majesty having been disappointed in this just expectation, and perceiving that the neutral nations, so far from opposing any effectual resistance, have submitted to whatever regulations France may have prescribed for giving effect to her decrees, can no longer refrain from having recourse to such measures as by retorting on the enemy the inconveniences and evils produced by his injustice and violence, may afford the only remaining chance of putting an end to a system, the perseverance in which is not more injurious to his majesty's dominions than to nations not parties to the war between Great Britain and France.

The principle, upon which his majesty finds himself compelled to proceed, would justify a complete and unqualified retaliation on his part of the system announced and acted upon by France, in respect to his majesty's dominions: and his majesty might, therefore, have declared in a state of rigorous and unmitigated blockade, all the coasts and colonies of France and her allies. Such a measure, the maritime power of G. Britain would have enabled his majesty to enforce: nor would those nations, which have acquiesced, without effectual remonstrance, in the French decree of blockade, have derived any right from the perfect execution of a corresponding determination on the part of his majesty, to complain of his majesty's enforcing that measure, which the enemy has executed imperfectly, only from the want of the means of execution.

His majesty however actuated by the same sentiments of moderation by which his majesty's conduct has been uniformly governed, has been desirous of alleviating, as much as possible, the inconveniences necessarily brought upon neutral nations by a state of things so unfavorable to the commercial intercourse of the world; and has therefore anxiously considered what modifications it would be practicable to apply to the principle upon which he is compelled to act, which would not, at the same time that they might afford relief from the pressure of that principle upon neutral or friendly nations, impede or enfeeble its operation upon the enemy.

In pursuance of this desire, the order in council, which, if it had ended with the sixth paragraph, would have been no more than a strict and justifiable retaliation for the French decree of November 1806, proceeds, as you will observe, sir, to provide many material exceptions, which are calculated to qualify the operation of the order upon neutral nations in general, but which must be considered as most peculiarly favorable to the particular interests of the U. States.

It will not escape you, sir, that by this order in council, thus modified and regulated, the direct intercourse of the United States with the colonies of the enemy is unrestrained; an indulgence which, when it is considered to be (as it really is) not only a mitigation of that principle of just reprisal upon which the order itself is framed, but a deviation in favor of the United States, from that ancient and established principle of maritime law by which the intercourse with the colonies of an enemy in time of war is limited to the extent which that enemy was accustomed in time of peace to prescribe for it, and which, by reference to the conduct of France in a time of peace, would amount to a complete interdiction, cannot fail to afford to the American government a proof of the amicable disposition of his majesty towards the United States.

You will observe, sir, also that the transportation of the colonial produce of the enemy from the U. States to Europe, instead of being altogether prohibited (which would have been the natural retaliation for the rigorous and universal prohibition of British produce and manufactures by France) is freely permitted to the ports of G. Britain, with the power of subsequently re-exporting it to any part of Europe, under certain regulations.

The object of these regulations will be the establishment of such a protecting duty, as shall prevent the enemy from obtaining the produce of his own colonies at a cheaper rate than that of the colonies of Great Britain. In this duty it is evident that America is no otherwise concerned than as being to make an advance to that amount for which it is in her own power amply to indemnify herself at the expence of the foreign consumer.

Another most important relaxation of the principles upon which his majesty's orders proceed is that which licences the importation of all flour and meal, and all grains, tobacco and other articles, the produce of the soil of America with the exception of cotton, through the ports of his majesty's dominions, into those of his enemies, without the payment of any duty on the transit. This is, I beg leave to observe, an instance in which his majesty has deprived his measure of its most efficacious and hurtful operation against the enemy, through motives of consideration for the interests of America. The reason why his majesty could not feel himself at liberty, consistent with what was necessary for the execution of his purpose, in any tolerable degree, to allow this relaxation to apply to cotton, is to be found in the great extent to which France has pushed the manufacture of that article, and the consequent embarrassment upon her trade which a heavy impost upon cotton, as it passes through Great Britain to France, must necessarily produce.

I cannot refrain from calling the attention of the government of the United States to the contrast between the different modes in which his majesty's orders and those of France are carried into execution. By his majesty's, the utmost consideration is manifested for the interests of those nations whose commerce he is reluctantly compelled to impede, and ample time allowed for their becoming acquainted with the new regulations and conforming to them.—Whereas France, without any previous notice, and without any interval, applies her orders to trade already entered upon in ignorance of any such orders, and subjects to condemnation ships, whose voyages, when commenced, were in strict conformity to all the regulations at that time promulgated by France.

Even with these and other modifications, his majesty is not unaware that a measure extorted from him by the injustice of the enemy, must inevitably produce inconveniences to the neutral parties who are affected by its operation.

The right of his majesty to resort to retaliation cannot be questioned. The suffering occasioned to neutral parties is incidental, and not of his majesty's seeking.

In the exercise of this undoubted right his majesty has studiously endeavored to avoid aggravating unnecessarily the inconveniences suffered by the neutral. And I am commanded by his majesty, especially, to represent to the government of the United States, the earnest desire of his majesty, to see the commerce of the world restored once more to that freedom which is necessary for its prosperity; and his readiness to abandon the system which has been forced upon him, whenever the enemy shall retract the principles which have rendered it necessary; but his majesty entertains the conviction, upon which alone his present measures are founded, that it would be vain to hope for such a retraction, until the enemy shall himself have been made to feel a portion of the evils which he has endeavored to inflict upon others.

I have the honor to be, with great consideration and respect, sir, your most obedient humble servant.

D. M. ERSKINE.

Hon. James Madison, Sec'ry of State.

Translation of a letter from M. CHAMPAGNY to Gen. ARMSTRONG, dated Paris, Jan. 15, 1808.

SIR—The different notes which you have done me the honor to address to me have been laid before his Majesty.

The proceedings of England towards all governments are so contrary to the law of nations, and to all the rules constantly observed even among enemies, that no recourse against this power is any longer to be found in the ordinary means of repression. In order to annoy her, it is become necessary to turn against her the arms which she makes use of herself; and if transient inconveniences result therefrom, it is to her alone, they they are to be imputed. Since England respects no laws, how could they be respected with regard to her? The maritime laws which she violates, ought they still to be a protection to her? And if some powers tolerate the infractions committed on their independence, could they have the right to require, that France alone should restrain herself within limits which her enemy has every where overleaped?

The United States, more than any other power, have to complain of the aggressions of England. It has not been enough for her to offend against the independence of her flag, nay, against that of their territory, and of their inhabitants, by attacking them even in their ports, by forcibly carrying away their crews; her decrees of the 11th November have made a fresh attack on their commerce, and on their navigation, as they have done on those of all other powers.

In the situation in which England has placed the continent, especially since her decrees of the 11th of November, His Majesty has no doubt of a declaration of war against her by the United States. Whatever transient sacrifices war may occasion, they will not believe it consistent either with their interest or dignity to acknowledge the monstrous principle, and the anarchy which that government wishes to establish on the seas. If it be useful, and honorable for all nations to cause the true maritime law of nations to be re-established, and to avenge the insults committed by England against every flag, it is indispensable for the United States, who from the extent of their commerce have oftener to complain of those violations. War exists then, in fact between England and the United States; and his majesty considers it as declared, from the day on which England published her decrees. In that persuasion his majesty, ready to consider the United States as associated with the cause of all the powers, who have to defend themselves against England, has not taken any definitive measure towards the American vessels which may have been brought into our ports. He has ordered that they should remain sequestered, until a decision may be had thereon, according to the dispositions which shall have been expressed by the government of the United States.

The Senate on Friday and Saturday heard counsel in the case of Mr. Smith. The detailed notice of the proceedings of Saturday, with various other articles, are necessarily deferred by the superior importance of the documents on our foreign relations.

The House of Representatives have been almost exclusively engaged during the three last days with closed doors, during which various propositions were submitted relative to the publication of papers communicated by the President in his message of the 30th ult. On Saturday a message was received from the President [the same with that given under the head of the proceedings of the Senate] when the House ordered the publication of the letters of Mr. Erskine and Mr. Champagny, as given in the National Intelligencer, and the secret journal of proceeding, which shall be given in our next. All the motions made previous to the receipt of the message were negatived.

HOUSE OF REPRESENTATIVES.

THURSDAY, MARCH 31.

Mr. Rowan having called up his resolution for an enquiry into the conduct of HARRY INNES—

The House agreed to consider it, 42 to 38.

Mr. Howard rose merely to express a wish that the resolution should be adopted, not only from that respect which he owed to the legislature of the state of Kentucky, but from a belief that the enquiry was necessary. Ever since the trial of Judge Sebastian, said Mr. H. an impression has been made on the public mind unfavorable to the standing of judge Innes as a citizen and as an officer of the general government. From the delicate and important nature of the trust reposed in a judge, it is indisputably necessary not only that he should posses integrity, and possess purity of mind, but that he should be free from all suspicion to the contrary. That his reputation has sustained a diminution is certain, whether on proper or improper ground, it is not necessary for me to determine. I trust the House will permit the enquiry to progress, that if innocent, this gentleman may be permitted to sustain that reputation which he has long enjoyed; and if guilty, the public may put out of their service a man who has so ill conducted. I conceive the House cannot hesitate on this subject. What evidence other gentlemen may require to justify them in adopting this resolution I cannot for them say; but for my single self, if nothing more were presented to my view than the resolution of the Legislature of Kentucky, to my mind it would be sufficient. While on I think it my duty to mention that judge Innes, by the same mail which brought his accusation, wrote to a number of the Representatives of the state of Kentucky, among whom was myself, expressing not only his willingness but his anxiety that an enquiry should take place.

Mr. Smilie said he had voted against now considering the resolution, because he wished to take up the army bill; but as to the resolution, coming into the House as it did, under such respectable authority, he could see no objection to adopting it.

Mr. Stanford observed that if his recollection served him, it had been usual in cases of this kind to attach a preamble to the resolution; he wished every thing to have a why or wherefore to it. He therefore offered a preamble stating the request of the Legislature of Kentucky as the ground on which the resolution is predicated.

Mr. Bacon in some observations against affixing the preamble, observed that the practice of prefacing every law and resolution with a preamble was an aukward and procrastinating mode of legislation and had therefore become obsolete.

Mr. Troup observed that he had voted against considering the resolution, though friendly to its object. He did believe that the western conspiracy should be developed in its utmost extent. It was high time that a line should be drawn between the friends and enemies of this government; that those of the latter who are in office may be put out, and those who are not in office may be exposed and kept out. He believed this object would be fully attained by the resolution, as well by an exposion of the nature of the conspiracy, as of the number and character of the conspirators; he was therefore in favor of it.

Mr. Dawson hoped and believed that there was not a gentleman in the House who was opposed to the resolution. He observed that the gentleman from Massachusetts (Mr. Bacon) had well stated the disadvantages of preambles, a discussion on which had frequently occupied more time than the act to which they were prefixed. He hoped the gentleman from N. Carolina (Mr. Stanford) would conform to the established practice.

Mr. Johnson observed that he was decidedly in favor of an enquiry, and was happy that there appeared to be so unanimous a dispostion in its favor; he regreted that any gentleman should propose an addition to the resolution which might occupy the House in a discussion which might be unpleasant.

Mr. Stanford observed that his only desire was to conform to the established practice, which he had believed to be as he had stated it; but as it seemed to be thought otherwise, he withdrew the preamble.

The resolution was then adopted, *nem. con.*

Mr. Stanford said he would now make a motion which he knew to have been usual; and he did this without intending any disrespect to the Speaker. He moved that the committee be appointed by ballot. If an appointment of a committee in this manner was proper in any case, it was in this.

After a short conversation between several gentlemen as to what had been the former practice, the motion was negatived. Ayes 8.

The House then resolved itself into a committee of the whole *Mr. Basset* in the chair, on the bill for raising an additional military force.

The amendment yesterday proposed by *Mr. Rowan*, was negatived, without debate, Ayes 20.

The committee then rose and reported the bill, which was immediately ordered to a third reading. For to-morrow, Ayes 29. To-day—carried without a division.

The galleries were now cleared as stated in our last, and so continued during the remainder of the sitting.

Philadelphia, March 14.

Extract of a letter from a gentleman at Lancaster, dated March 11, 1808.

"The bill for the improvement of the state, passed the House of Representatives to-day by a majority of 19. The votes were 50 to 31.

"It is to be hoped that the Senate will complete what the House of Representatives have begun. The bill is of great public importance, and is particularly recommended by the circumstance of its embracing an object, which, though highly interesting, is free from the influence of party feeling. Every citizen of the State has an interest in the fate of this bill. The surplus funds of the commonwealth could not be more beneficially applied, than to the purposes contemplated by it."

Extract of a letter from a commercial house in Liverpool to another in New York, dated February 18.

"We have received a printed list of the duties proposed by ministers to be laid on foreign produce when exported from this country; and have extracted the articles, information on which will be most interesting in America. These duties will probably in some instances be modified before they receive the sanction of Parliament."

The following are the duties which the committee of the House of Commons have recommended for the adoption of the legislature on the exportation of the following goods from Great Britain, being foreign goods landed on importation without payment of duty: coffee 20s. per cwt.; cocoa 20s. per do.; cochineal 10d. per lb.; cotton wool 9d. per do.; gum 10s. per cwt.; hides raw 3s. each; indigo 9s. per lb.; oil (seed) 10l. 10s. per puncheon of 152 gallons; pimento 4d. per lb.; prize goods 20s. per cent. ad valorem; Rice 2s. per cwt.; sugars, muscovado 10s. and clayed 14s. per cwt.; tobacco 1 1-2 per lb.; mahogany 1l per ton of 20 cwt.; and the following on goods which cannot be landed on importation: ashes, pot and pearl 10s. per cwt.;—Wheat 10s. per quarter; rye, pease, Indian corn, 5s. per do; wheat flour 5s. per. cwt.

From Liverpool, Feb. 6.

"Premiums of Insurance on American vessels have risen to 8 guineas. In consequence of your embargo, all kinds of American produce have risen very considerably; and will continue to rise as long as the embargo lasts, which I hope will not be long."

The King of Great Britain has been pleased to appoint maj. gen. sir George Prevost, bart. to be lieut. gov. of the province of Nova Scotia and commander of the forces, with the local rank of lieut. gen. in Nova Scotia out.

WASHINGTON THEATRE.

BY AUTHORITY.

THIS EVENING, April 4th, will be presented a choice

SELECTION FROM THE DRAMA.

(Particulars in hand-bills.)

Mr. & Mrs. Ormsby respectfully inform Ladies and Gentlemen that, from the very flattering reception their first performance met with, they are induced to make every addition in their power to the Theatrical Entertainments. Several necessary improvements will be made, and no assistance shall be wanting that can be procured, in order to render the Theatre worthy the attention of the lovers of the Drama.

April 1—2p

AMERICAN MILITARY LIBRARY.

Just received and for sale at R. C. Weightman's Bookstore, Pennsylvania Avenue,

Nos. 2, 3 and 4 of the American Military Library.

Horrors of St. Domingo.

Lay of an Irish Harp, by Miss Owenson.

A Sailor's Friendship and A Soldier's Love, a new novel, by Miss Porter.

Ivory and bone Chessmen.

Battledores and Shuttlecocks.

Leather Chessboards.

April 4—3t.

CHARLOTTE HALL, MARCH 27, 1808.

WHEN the emulation and exertions of youth are sanctioned by the respectability and experience of riper years how serious is the calamity which deprives them of a Friend,

The Washington Society unanimously have resolved to wear crape upon the left arm for the space of one month as a small but sincere token of respect to to the memory of NATHANIEL C. WEEMS, Esq. of Prince Georges county late an honorary member of that Society.

Signed by order,

ROBERT MURPHY,

Secretary.

April 4—3t

NOTICE.

THE subscriber under painful sensations announces to the public his intention to apply to the [illegible] Prince George's county court, or in its recess to one of the judges thereof, for the benefit of an act of Assembly, entitled, "An act for the benefit of insolvent debtors," passed November session, 1805, and the [illegible] act supplementary thereto," passed November session 1806

ROBT. McKOY.

April 1—w3t

BANK OF COLUMBIA.

March 18th, 1807.

THE President and Directors having this day declared a dividend on the Capital Stock of the Institution, for the half year ending the 20th inst. at the rate of eight per cent per annum, the same will be paid to the stock-holders or there representatives on Monday the 21st, inst or at any time thereafter.

WILL. WHANN, Cash.

w6t.