COMMODORE PORTER'S TRIAL.

[Continued.]

WASHINGTON, Tuesday, July 19.

The answer of the Attorney General to the request of the Court, through the Secretary of the Navy, for his opinion on the questions stated yesterday, was read by the Judge Advocate. The Attorney General explains the legal duties of his office, as being restricted to the giving of opinion whenever requested by the President of the United States, or any of the Heads of Departments, upon questions connected with the discharge of their respective functions. An opinion to regulate the decision of a court martial, or any question judicially before it, is not supposed to be within the sphere, thus described of its proper office; and, therefore, he thinks, not only that he cannot be officially called upon for such an opinion, but that it would be highly improper for him to act officially on any such question.

Commodore PORTER then stated to the Court, that seeing the delay and probable embarrassment likely to arise from his persisting in the objections, in their present shape, he had concluded to withdraw them; and prayed leave to carry that determination into effect, by a written explanation of the operative considerations and inducements which had brought him to the conclusion now announced. This was acquiesced in by the Court; and, no other business being ready, the Court adjourned till to-morrow at 10 o'clock, when Com. PORTER is expected to deliver in his formal waiver of the objections, in their present shape, accompanied by his reasons for the measure, and to tender himself ready to proceed with the trial.—*Nat. Int.*

WEDNESDAY, July 20.

Commodore PORTER delivered in the written exposition (promised yesterday) of his motives and reasons for withdrawing his preliminary objections to the second charge and its specifications. In enumerating his reasons for this step, he took occasion to mention his having been precluded from reply to the argument of the Judge Advocate, noticed in yesterday's paper, and to suggest that, as that document had commented upon sundry parts of his conduct and motives, having no necessary connection with the particular subject-matter of the argument, and had commented on the same in a style that it behoved his honor, and the justice of his cause, to answer; he had found it necessary to reserve the reply to his final defence. The paper was going to show how and why this document had laid Com. PORTER under a necessity to reply to the same in his defence, when the reading of the paper was interrupted by an objection from the Judge Advocate, that it was commenting on his argument, and therefore transgressed the rule precluding a reply to it. Upon this objection the Court was cleared, and, after considerable deliberation, its resolution was announced that certain parts of the paper, commenting on the Judge Advocate's argument, should be omitted. The reading of the paper was then finished. The Judge Advocate then proceeded to offer copies of certain letters from Com. PORTER to the Secretary of the Navy, under the specification of disrespectful letters. The *originals* being, for particular reasons, required, the further reading of the copies was suspended. The Judge Advocate then called upon Commodore Porter for the production of a certain correspondence between him and Mr. Monroe, after the latter had gone out of office, which, after various orders, not precisely noted or recollected, had been taken, resulted in an order for a commission, at the instance of the Judge Advocate, to take Mr. Monroe's deposition. The last proposition recollected was a call upon the Judge Advocate to apprise the accused of the fact intended to be proved by this correspondence, or the specification to which it applied. This being refused, an appeal was made to the Court, who did not think it a case requiring their interference, in the present stage of the business. *Ib.*

Thirteenth Day—THURSDAY, July 21.

The Court assembled at 11 o'clock, and, after the proceedings of yesterday had been read,

The Judge Advocate produced the original letter from Commodore Porter to the President of the United States, dated April 17th, 1825, of which a certified copy was presented to the Court yesterday, and decided to be inadmissible as evidence.

On comparing the original with the copy, the only variation appeared to be in the abbreviation of the word *President* in the one, & its being written at full length in the other, in the spelling of the word *Randall* with two *ll* in the one, and with one *l* in the other, and in the word *April* being before 17th in the one, and after it in the other.—The Judge Advocate then stated that he had left the certified copies of the other letters at the Navy Department, for the purpose of being compared with the originals, and that he expected the Chief Clerk, with the originals, presently.

Commodore Porter then laid before the Court a paper, in which he stated that the Judge Advocate having that day put into his hands the originals of his letters to Mr. Monroe, and a rough draft of Mr. Monroe's reply, he had no hesitation in admitting their authenticity.

The Court then adjourned, until 10 o'clock to-morrow morning.—*Journal.*

Fourteenth day.—FRIDAY, July 22.

The Court met at 10 o'clock.

Mr. Boyle, a Clerk in the Navy Department, appeared with the original letters, and certified copies, which were intended to be produced by the Judge Advocate, in support of the prosecution.

Mr. Boyle, being sworn by the President of the Court, made oath, that he had, with the aid of another Clerk of the Navy Department, examined and compared the copies certified, with the original letters, by looking over the copies while the other Clerk read the originals, and that he had carefully corrected any deviations which he had noticed.

The Counsel for the accused requested a list of the letters, but it was decided by the Court to be unnecessary, as they would be read in evidence.

The Counsel for the accused presented his cross-interrogatories, to accompany the interrogatories of the Judge Advocate, to Mr. Monroe. Prefixed to these cross-interrogatories was a protest against the legality of the proceeding altogether, and the claim of a right hereafter to object more formally to the legality of the commission.

The Court was then cleared to deliberate whether the protest attached to the interrogatories should be transmitted to Mr. Monroe with the interrogatories, or should be merely filed with the records of the Court.

The doors being re-opened it was announced that the Court had decided that it would be improper to allow the protest to accompany the interrogatories to Mr. Monroe, but that it might be annexed to the records.

The interrogatories were then copied and despatched, we believe, by a special messenger, to Mr. Monroe.

The Judge Advocate then proceeded to read the following letters, in support of the first specification.

A letter from Commodore Porter to the Secretary of the Navy, dated 30th January, 1825.

A letter from do to do dated 10th March, 1825.

A letter from do to do dated 13th April, 1825.

A letter from do to do dated 25th June, 1825.

The Judge Advocate then proceeded to read the following documents in support of the second specification:

A pamphlet published by Commodore Porter, containing the proceedings before the Court of Inquiry, and the defence which he had intended to make before the Court. The publication of this pamphlet was admitted.

A letter from Commodore Porter to the Secretary of the Navy, dated (by mistake) May 2, 1825, (instead of June 2, 1825, the time when the letter was actually written, as appeared by Commodore Porter's Journal,) which was sent, together, with a copy of the pamphlet, to the Secretary of the Navy.

The reading of the pamphlet occupied the Court, until 3 o'clock.

The Court then adjourned until to-morrow morning at 10 o'clock.—*ib.*

Fifteenth day.—SATURDAY, July 23.

The Court met at 10 o'clock.

The Judge Advocate proceeded with the reading of the pamphlet of Commodore Porter, which occupied until half past 12 o'clock.

The Judge Advocate then proceeded to compare the printed pamphlet with the record of the Court and to point out the various discrepancies which exist between the two.

This contained the evidence in support of the 3d and 4th specifications.

During this comparison, the Report made by the Court of Inquiry to the Secretary of the Navy, was read. It contained, simply, an historical digest of the evidence given before it, to collect and embody which was the duty of that Court.

In support of the 5th specification, the Judge Advocate offered a number of the National Journal, and, also, one of the National Intelligencer, containing sundry letters purporting to have been written by Commodore Porter.

The Court then adjourned, until ten o'clock on Monday morning.—*Nat. Int.*

Sixteenth day.—MONDAY, July 25.

The Court did not meet until near 11 o'clock.

A paper was put in by Commodore PORTER, in which, by the consent of the Judge Advocate, certain facts, in relation to a letter to the Secretary of the Navy, and the arrival of Commodore Porter at Washington, before that letter was received, were mutually admitted, so as to supercede the necessity of calling witnesses to prove them.

The Judge Advocate then read over to the court a list of the variations between the original record of the Court of Inquiry, and the pamphlet published by Commodore Porter.

Mr. Seaton and Mr. Force were then called, to identify certain publications which appeared in the National Intelligencer, and National Journal; after which, the Judge Advocate informed the Court that he had no further evidence to offer on behalf of the prosecution, until the answer should have been received from the interrogatories transmitted to Mr. Monroe.

On the part of the defence, Mr. Simpson, who copied the proceedings for Com. Porter, from the original record of the Court of Inquiry, was called and examined, to prove the correctness of his transcript.

This examination occupied until half past three o'clock, when the Court adjourned until to-morrow morning at 10 o'clock.

Nat. Journal.

An English paper assigns the following laughable reason for the unexpected decline of English pick pockets:—

A very sensible decrease has lately been observed in the number of London pick pockets, and a consequent decrease of business at the receiving houses and the police-offices. The cause assigned is, that vast numbers of the higher order of the light-fingered fraternity had crossed the Channel, with the very laudible purpose of assisting at the last ceremony of the French King's coronation at Rheims.

MAGISTRATES' BLANKS

FOR SALE AT THIS OFFICE.

The following letter from the National Journal is inserted for the benefit of our young friends—It contains the best advice throughout, and ought to be read and studied by all our young men. There is enough in this letter, if properly attended to, to give a happy destiny to any youth.

Extract of a letter from ——— to a young friend, just setting out in life.

"I am very glad to learn that the Society at——— is so agreeable, and so moral. But even here a young man is in danger—*imminent* danger. Society, like wine, absorbs faculties which should be devoted to labour; and the snare to a young man, who has to rely on his profession, is the more certain to entrap him because it is the more concealed. Drunkenness and debauchery, are broad—vulgar—ruinous vices: these are the *scylla*—the vortex, in which the bodies and souls of men are *engulphed*—I may say *without remedy*. But then there is a no less fearful Charybdis,—and every young gentleman should beware of this also.

Polite and agreeable society has charms which lead off from the rugged paths of sience and toil, till the spirits get absorbed, and all relish for the substantial employments of life, upon which men build *honour*, and *fame*, and *independence*, is lost. Beware, therefore, the fascinations, even of the moral and polite.—Respect them, and cherish a proper feeling for such courtesies, and occasionally partake of them—but remember the ascent to fame and independence is steep and rugged; and that, however you may think otherwise, the world hold in higher esteem the youth who is seen clambering, and toiling up those heights, and even that *very* circle, that seeks to count him a member for the purposes of merriment and pleasure, than it does the most agreeable who unite with it in the rounds of fashion and social gratification. Take the advice of *experience*—It is no less the advice of friendship. Look at the eminence your friends would have you reach—fix your eye steadfastly upon it—decide upon the most approved and direct route to its apex, and having marked it out, let your watch word be—"*onward.*" Let no difficulties tire—no dangers appal. Though your feet bleed by the ruggedness of the way, let your purpose be still—"*onward.*" Thus deciding, and thus acting, your fame and your fortune are sure. And have you no incentives to this? *Think of your Father!* Turn to your Mother, and your sisters, and see their eyes fixed upon you—their hopes, although these may have been now and then warred upon by their fears, *still they hope.* Will you permit these hopes to die, at last? The death of a Mother's hope is a sad and calamitous affair—and if its murderer be her son, how shocking! . . . . . Merciful God! what a loss did I sustain in a beloved mother, when but 10 years old!—But thus it pleased God.—Never will there be effaced from the tablets of my memory the countenance of that fond parent. So mild—so sweet.—With feelings so gentle and so tender. But her spirit, that never was seen

'ruffled by those cataracts and breaks
Which Rumour interposed too often makes,'

was too pure and spotless to sojourn it long in this world; and so it sought its native Heaven, ere she had counted her nine-and-twentieth year, leaving me bereft of endearments which I loved, and of that counsel which she was so eminently qualified to impart. . . . . *But she is blest.*

"Who rightly estimates the value of a mother? That guardian of our infancy—the devoted, anxious, watchful, suffering, support of our childhood; and the being in whose heart Hope establishes her empire; and whose fancy lights up the dearest prospects of our future years—those delightful days to come, when the son whom she had nourished and brought up, will repay all her toil, and almost give back the large drafts which he had made upon her life, by a lofty, an honorable, and a prosperous course, and by a virtuous life. She sees in him, not only the prop of her declining years, but the pillow, too, for the repose of her last hours. And our sisters, too—helpless, affectionate, and anxious. They, too, unite in the tenderness, and share in the anxieties and the hopes of a mother. What youth, with the heart of *honor* pulsating in his bosom, would consent to wring those hearts into agony, and spread desolation over such feelings—merely for the poor gratification of a spendthrift—a debauchee; or gay sort of a *society-butterfly?* But there are other considerations—and these appeal to his own selfishness. What is a man when self-esteem dies in him?—What is he after all his youthful fooleries, with those who are as simple as himself, in dancing the frivolous and giddy round of even "*innocent* amusements," as they are called, (but *falsely* called,) when an age of weariness and satiety overtakes him, and finds him pennyless and friendless? A very *sneak* is such a one, to whom any corner of any, even the meanest, hovel, or "the worst inn's worst room," is not too loathsome to hide him from the view of those whose very *look* withers him. Need I ask what he is, if he descends from the elevation and dignity of a man, and, casting behind him his high and noble faculties, comes down to *swill* it with the beasts? Language is inadequate to the description of such a brute. He needs only to be seen to be *instinctively* despised. His health, his character, his happiness, and his hope—all gone!—his miseries are of the keenest and the bitterest kind. As to this world, his case is desperate—as to the next——Great God! But what? Let a veil be drawn over the frightful condition of such an one, when once the plunge is made; *that last* plunge of a suttish and brutified soul!

"These views are put before you, my young friend, for beacons, and not because I doubt your correctness of purpose. I hope much from you. But you have your destiny in your own hands! Fearful trust! *Take care.* Beware of every step you take. Look well to where it leads, before you make it; and, rely upon it, there is no royal way to success in *any* profession. The paths are beset with difficulties, and they are steep. Dilligence and Honor are they which invite all, and *Virtue* points the way to them. They are under her guardianship. *Never forsake them.* Deceive not yourself by thinking that you can forsake, and then return to them. Horrid delusion! It is *possible*, I know—but then, the risk! What equals it? You might cut a summerset across the ridge-pole of a sharp-roofed ten story house, and find, *possibly*, a place to hold to, in your slippery descent—*but who would dare it?* Safety, in both cases, is about equally certain,—and who would dream it to be possible in either? The only difference is that which arises out of the vast disparity between the destruction of the body, and the loss of the soul. And can any body conceive how great that disparity is? What is the world even to *one* soul? Less than a *mite* to the universe!

"Guard well your temper, in all your intercourse with society. A meek and a quiet spirit is of incalculable value as well to one's happiness as to the opinions and regards of society. A fretful and peevish man is a fool any where; and is sure to be despised, besides keeping within himself a constant source of unhappiness. This temper (I mean a meek and amiable temper) should be exercised towards *every thing*, and *every body*. From our companions to our servants, and even down to the brutes. *Good will to all* should govern it. And how necessary is it when it is known, that even our

——"dearest friends—
Thro' *error* wound our rest."——

Errors and ignorance are, therefore, to be overlooked, and the party erring, feeling most, care should be taken to sooth that feeling by the kindest evidences which it is in our power to show, that we know it was error. Servants—how often do these act amiss from ignorance. Shall we fly into a passion and threaten, and confound, or slash those poor menials for a wrong action, or crooked look—or a word which we may deem to be amiss? Think of the prayer—

"That mercy I to others show,
That mercy show to me."

And this reaches even to the brutes. Man is their protector. They have no signs to speak their feelings. They often suffer pains and sickness, when their more brutal lord, flying into a passion, inflicts blows to compel their obedience, at sight of which

——"*Mercy weeps.*"

"I look upon every man who is cruel to his domestics, & his beasts, as devoid of the feelings of a man; and as meriting the contempt of society. Mercy is the darling attribute of Heaven; and so it should be of earth.

"Spirit is right, in the right place. You would not stop to chastise a drunkard who might call you by vulgar names, although you would kick *a fool*, if in his senses, for the same thing, should he place himself in your way—but then only from your presence. Vulgarity is always the accompaniment of a fool. You are not to follow it, to chastise it; all you have to do is to kick it out of your way when it obtrudes into it. But, on this head,

——The best rule
Is, to *avoid* a fool;
And never venture where
The *vulgar* are.

"I mean, to *associate* with such. Polite society will never inflict a wound on your feelings—if you only keep with such, your feelings will, therefore, never be wounded.

"Avoid going in debt—and beware how you strike a surety even for a friend—and beware who you make your friend. Ills innumerable arise out of a want of a proper discretion in these things. Take heed therefore. Help your friend, freely, with your purse: but when that is empty, wait till it be filled again. Never let it be said of you, that you refused to help any one (as far as you are able) in distress. The good Samaritan is the pattern. Never *sue** a man unless you *clearly* discover him at work to defraud; and if you do this, you ought to secure yourself—*but never encarcerate his body.* Suffer the loss of all first. There is in this act that which covers with disgrace the man capable of it. Good men and angels weep over the sight. For the correct view of this, look into your bible—see the judgement of the Deity upon such brutal doings. The only man in the world whom God has not *forbidden* to drag, (or order to be dragged,) his fellow to a jail, is he who has never himself had occasion to receive forgiveness at the hands, either of God or men. And who knows such a one?—It is seldom seen that a man who has suffered privations has imprisoned his fellow-man—and I venture to aver it, that *no Christian ever did.* I know this is done, sometimes, by those who go to Church, and even take the Sacrament—But there is not a novice in Gospel doctrines in Christendom who does not see in such a one a spirit as much at variance with the doctrines of the Saviour, as if they were to frequent the highway to rob and plunder and kill—instead of the table of the Lord to *commemorate his love to man.* A tree is known by its fruits. Show me a man with a spirit capable of sustaining the shock of ordering a fellow-being to jail, for debt, and I will show you a man capable of being hardened into whatever other act of inhumanity, or vice, in which he may choose to indulge, which the Gospel forbids. THE WORLD SHOULD FROWN INDIGNANTLY UPON SUCH.

"Never, my dear friend, will our free America be entitled to the epithet of freedom whilst the disgraceful statute which *permits* imprisonment for debt, remains upon our books. For whilst it is there, we have, and must expect to have, brutes enough, in the shape of men, to avail themselves of its provisions. The only remedy is its expungement—and our honour would be promoted could we obliterate from our records the acts of incarceration under it, which have spotted the character of our country since we nobly dared to be "*Free and Independent States.*"

"Once more. Fear God, and trust him Practise obedience upon the system of the Gospel. Witlings are getting ashamed of their jests. It was once fashionable, but that day of folly has gone by, at least in this country. He must be a fool indeed, who would sport and jest over a book to which the world is indebted for its perceptions of "life and immortality."

"I will close, by earnestly repeating, and soliciting it of you, as an affair of the utmost importance to your happiness—NEVER GO IN DEBT.

"In haste, I am your friend,
———."

LAFAYETTE'S VISIT TO THE BATTLE GROUND OF GERMANTOWN.

On Wednesday morning, the 20th inst. General Lafayette and suite, accompanied by a committee of Councils from this city, entered Germantown at half past 8 o'clock. His approach was announced by a discharge of artillery, and he was met at the entrance of the town, at Logan's Hill, by the Germantown Companies of Cavalry and Infantry, with other Military Corps, and by his Brethren of the Masonic Family, together with a company of Manufacturers, bearing an appropriate flag; also, Benevolent Societies and others. The cavalry led the van, then followed the Freemasons, very properly preceding the General and his suite.—A part of the cavalry supporting the General on his right and left. The infantry and other military corps, together with the manufacturers, societies, citizens, &c. brought up the rear, and continued their march up the Main street, in Germantown, for two miles, until they arrived at the country seat of Benjamin Chew, Esq. which is the very spot where the celebrated Germantown Battle was fought, when all those who preceded the General displayed columns, and the General and suite proceeded through to the door of Mr. Chew's hospitable mansion, where he was received by the family of Mr. Chew, and immediately afterwards introduced to his Brethren of the Masonic Family individually; then to the different military corps, and to a vast number of the inhabitants of the town, both males and females. After which, he partook of a sumptuous breakfast, and then proceeded to Mount Airy, where he visited that most excellent literary institution, called Mount Airy College, established many years since by B. Constant, Esq. Here he expressed the highest gratification, then continued his route to Chesnut Hill, which is almost the extreme extent of the township of Germantown. In his route from Mr. Chew's he was accompanied only by his own suite and the Germantown cavalry. On his return, which was about one o'clock, he stopped at the house of Reuben Haines, Esq. for about one hour, where he again received visits from ladies and gentlemen of respectability, and was appropriately addressed by Charles Pierce, Esq. chairman of a committee from the Germantown Lodge of free and accepted Masons; and also received an address (through Mr. Haines) from John F. Watson, Esq. presenting to him a box of great curiosity and value. After which, he visited Mr. Walter R. Johnson's excellent Academy, where he again expressed the highest satisfaction, as he previously had done of Mount Airy College. And here we cannot forbear adding, that in our opinion, these two literary institutions stand as high as any of the kind, in this part of the country. The General and his suite here took their leave, and returned to the city by three o'clock, being previously engaged to dine at the Mansion House.—*Philad. paper.*

[*The writer means, of course, not to include such legal processes as may be necessary to adjust titles, &c. but to confine his caution to the practice of instituting suits *for debt.* We agree with the writer in the main in condemning the practice, as it is now carried on. Yet, even in cases of debt, suits may *sometimes* be necessary, even where the debtor means well, and intends honourably to pay his debts—But we are at an utter loss to comprehend the reason for sueing a debtor who has secured to the parties *every thing he has in the world*; or a debtor who has *nothing* out of which to recover a debt. There appears to us to be just as much reason for sueing the dead, except the object is to bind by a judgement any future property of which the debtor may become possessed. But if he be honest, he will not fail to spare from it all that he can spare from his necessary demands—And who is there that could require more? None but a brute. And if the debtor be disinclined to pay any such arrearages, it is easy enough for him to keep himself dispossessed of his property, and hold it in the name of others. So, honest or not, the practice of sueing, as it is carried on so generally, is, to say the least of it, as disgraceful as it is vexatious. If the object be to *imprison*, then it is worse, and to its disgracefulness is added *cruelty*.]—*Editor Nat. Jour.*

Cash for Negroes.

The subscriber wishes to purchase FORTY or FIFTY likely NEGROES, for which he will give the highest prices—those wishing to sell will find it to their interest to call on him at Mr. LOWE'S Tavern, Easton.

June 11 J. B. WOOLFOLK.

Notice.

Was committed, on the 30th ult. to the jail of Frederick county, as a runaway, a yellow fellow named JOHN PUSLEY, about 35 years of age, 5 feet 3 or 4 inches high. His clothing, when committed, consisted of common linen, much worn, old fur hat, and half worn shoes—says he belongs to William Lewellyn, of St. Mary's county. The owner of the above described runaway is requested to come forward and prove his property, otherwise he will be released as directed by the act of assembly of this state.

THOMAS CARLTON, Shff.

July 30 8w

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