

FEDERAL GAZETTE.

WEDNESDAY, SEPTEMBER 23.

From our Correspondent at New York. New-York, Sept 21. "The ship Science, Howard, from London has arrived at Sandy-Hook—she will probably bring news, as she was left at London, by the last arrivals from there."

Latest Proceedings at Richmond. Wednesday, September 16.

Mr. Burr observed, that he should have the right to which he was entitled, of putting an end to this inquiry at the present time; but as much had been boldly said about his levying war in certain places, he was willing to indulge the gentlemen in the production of relevant testimony. If they, however, wandered from that line, he should immediately bring the investigation of the law before the court. He also demanded a specification of the charge made against him. The Chief Justice observed, that the specific charge was levying war at the mouth of Cumberland river. Mr. Martin denied that this specific charge had been yesterday made.

Mr. Hay stated that this difficulty had occurred respecting the jurisdiction of the island at the mouth of Cumberland river; that he had been informed, that this island had never been ceded to Kentucky, and that it still belongs to Virginia; that if Mr. Burr were then sent to Kentucky, he might be sent back again; and that, even if he was wrong in regarding the offence, it was in the power of the court to send him to another district. The only arrangement, however, that was now to be made was whether Blannerhassett and Smith should be included in the same motion. Mr. Wickham objected to this arrangement, because their counsel was different, and because the testimony applicable to each might be different. Chief Justice. Let the examination proceed; and if any confusion should occur, the division may then be made.

Mr. Martin insisted on the specification of the charge. Mr. Hay then produced and read the following paper:

The attorney of the United States for the Virginia district, charges Aaron Burr, Harman Blannerhassett, and Israel Smith, with treason, in levying war against the U. States, and charges that an overt act of levying war was committed on an island whose name is not known, at the mouth of Cumberland river, in the state of Kentucky, and that other overt acts of levying war were committed at Bayou Pierre, in the Mississippi territory, and on the Mississippi river, between the places above named.

The attorney for the United States then called James W. Dowell, who gave the following evidence:

In December I was at Wheeling, and engaged with one William Dean to go down the river to New-Orleans, to take down a boat loaded with flour and whiskey. We went down the river with the boat from Wheeling to Shawnee town; and here I saw Mr. Blannerhassett, Smith, Tyler, and many others. From that place we went down to the mouth of Cumberland river in company with these gentlemen. [Mr. Hay: Where is Shawnee town? A. It is below Blannerhassett's island.] It was at the mouth of Cumberland that I saw col. Burr for the first time. We all went up to the beach, where he formed a ring or circle, where he told us, it was not a proper time to divulge his secrets—there were too many by-standers.

Col. Tyler, and Mr. Smith, and Mr. Dean and Blannerhassett stood together and, he told col. Tyler he might tell the gentlemen engaged what he thought proper, and col. T. said he would inform the captains of the boats; for each boat had a captain. Col. T. said he would let them know where they were going, when they got to Nantz de Grace (New Madrid, as some call it) Mr. Dean sold the boat he went down to Comfort Tyler and Israel Smith. Then we proceeded in going down, till we got to New Madrid, where we expected to hear some encouragement for going down; and there we were told by Comfort Tyler, that when we got lower down, they would tell us. They appointed two or three places, but they never saw one fit for it. We went down to Bayou Pierre.

Mr. Burr. Gentlemen have set out to prove an act of war at the mouth of Cumberland river. We shall presently object to that kind of testimony, they are now bringing forward.—Mr. Wickham. It is understood that these exceptions are all before the court.—Mr. Hay. We are not now before the court.—Mr. Wickham. I understand the gentleman. We are not before the court to determine objections to evidence.—Mr. Hay. All that I say is we are not before the court to hear a regular motion, but to determine a motion for commitment. Let all the evidence be produced; and the bench will then determine upon a motion, that may be urged. Mr. Wickham, if we start objections, I presume that it is right to hear them. The court will not surely hear irrelevant and illegal testimony. There are surely manifest reasons, why this kind of evidence shall not be introduced. Every atom of it is taken down; published in newspapers, and circulated throughout the world. As there is no reason to expect, that this prosecution will be dropped; as a motion has been made to try him in Kentucky; it is improper to publish this evidence and to prejudice the public mind against col. Burr.

Mr. McKee. The evidence that we offer relates to one of the very charges urged against him; for it embraces his conduct

at Bayou Pierre.—Mr. Burr. It will be saving time, if the gentlemen will confine themselves to Kentucky. I shall not interrupt them; but if they go into the Mississippi territory, I shall certainly state objections, which the court will suffer to be heard.

Mr. Martin. Let them prove an overt act first; and then there will be a sufficient foundation for the introduction of this testimony.—Ch. Justice. This suggestion is for the consideration of the counsel for the United States. But if the accused is prepared to state any objections, to going into the Mississippi territory, I must hear them.

Mr. Hay. I will submit this idea to the consideration of the court. Ought the witnesses to be detained here day after day? Let the evidence be first heard, and the court may then determine, which part of it is to be laid out of view. Mr. Wirt suggested that to avoid the expense of detaining the witnesses their evidence, might be reduced to depositions. Mr. Burr. I presume the gentlemen will first ask my consent. Ch. Justice. If the witnesses are absent, their affidavits can be heard. But if they are here, they must be produced.

Mr. Burr. Do I understand gentlemen as insisting on going below the line into Mississippi territory.

Mr. Hay. I see no objection to going through the whole line of the march.

Mr. Botts objected to the production of such evidence on 3 grounds:

1. That no evidence of acts in the Mississippi territory was admissible, by the 33d sect, of the judicial act. Mr. Botts contended that according to this act of congress, a person arrested is to be bailed or imprisoned for trial, before such court of the United States as "by this act" had cognizance of the offence; that the Mississippi court was not a court of the United States within the meaning of its 33d sect.; they by this act that court has no cognizance; that the word "district" which is so frequently used in that act applies entirely to the states and not the territories; and that this court cannot judicially hear what it has no cognizance of.

2. That the verdict of acquittal operated as a bar to any trial for the charge now laid by the attorney; that this charge was in effect the same offence for which he had been already tried and acquitted, and that by the constitution and by common sense, no man could be twice put in jeopardy for the same offence that treason was one continued and indivisible act; and if it was infinitely divisible, that a man might be subject to infinite persecutions; that the United States had the evidence before them: they had then the selection of places to try col. Burr in; and if they had made a wrong selection, it was their own fault: that no instance had occurred in the English records of '15 or '45, where a rebel had had two trials; and that if such had been the usage in England, Lord George Gordon might have been tried in St. George's fields, and if acquitted there, at Moorfields; at Lincoln's Inn Fields; and at G. Queen-street &c.

3. That col. Burr had been already acquitted by an inquiry of a grand jury in the Mississippi territory; that upon such a report here, a person in custody would be discharged; and after this discharge, could the court recommit him for the same offence? The latter point was in effect abandoned by the accused in the course of the argument. Col. Burr however observed, it might address itself to the sound discretion of the court.

Mr. M. Rae replied to Mr. Botts, and expatiated over a wide field of argument and statement. Thursday, September 17. Mr. Hay resumed the argument. He was followed by Messrs. Martin and Wickham, who were answered by Mr. Wirt. Mr. Botts replied to Mr. Wirt.

Friday 18. Yesterday Mr. Randolph closed the argument.—After which the chief justice delivered the opinion of the court; that he had no power to commit for trial in the court for the Mississippi territory, and of consequence that it would be improper in him to go into any inquiry on a subject on which he cannot act; that as to the operation of the aut rejus acquit, his judgment was not decidedly formed; and that he should therefore hear the testimony relative to the conduct of the accused within the United States, and should in the mean time reflect further on this subject.

The attorney for the United States then proceeded with the examination of James M. Dowell, William Love and Thomas Bartley, who were called in to prove the military assemblage at the mouth of Cumberland river. The testimony was not suffered to extend below the Chickasaw Bluffs, the SW frontier of Tennessee. Mr. Burr even objected to the admission of any evidence on the Mississippi; because the boundary of Tennessee did not extend beyond the margin of the river. This point was not definitively settled.

Mr. Hay observed, that he had one other witness to produce (Jacob Dunbaugh) relative to the assemblage at Cumberland river, who would prove a quantity of arms there collected; that he would then refer to the court, how far the evidence produced proved an overt act of treason; and if it did, that he understood he was at liberty to produce his other testimony (within the United States) in the nature of collateral or auxiliary testimony.

Mr. Wickham proposed to introduce at the same time the witnesses of the accused relative to this same point. Agreed.

A adjourned till this day, (Saturday) ten o'clock.

ALEXANDRIA, September 22.

Thomas Stockdale, a citizen of the U. States and born in Harford county, Maryland, arrived at this place on Sunday morn-

ing last by land from Lynn-Haven bay, having about eight or nine days since made his escape from the British ship Tamar, captain Robinson. He states that they sent him together with two officers and five seamen on shore in disguise to procure fresh provisions; that while the officers were at a farmer's house procuring them, he the said Stockdale with two other seamen (Englishmen) made their escape thro' the country, and he having been registered as a seaman in the collector's office of Alexandria made his way here. After having been on board said vessel for three years—he never accepted any of his majesty's bounty. The farmers at Lynnhaven Bay are in the practice of furnishing the officers of the British ships with fresh provisions, in consequence of their going on shore and calling themselves Americans, being in disguise as such.

Sale by Auction.

Will be added to our sale to-morrow, the 24th, at 10 o'clock in the forenoon, A handsome secondhand GIG with harness, complete—and two shares in the Baltimore Library. A quantity of superb Engravings, elegantly framed and glazed. COLE & BONNSAL, Auctioneers. Warehouse back of the Union Bank of Maryland, entrance from South Charles-street. Sept 23.

Sale by Auction.

TOMORROW MORNING, The 24th instant, at 10 o'clock, at the Vendue Warehouse at the corner of Second & Frederick-streets, will commence the sale of the following Articles, viz. 2 bales Half Thicks, 2 do. White K. reys, 3 do. Fearnoughts, 1 case Twilled Velyeteens, 1 bale fine blue Plains, 1 bale Cordings, 3 bales fine white Flannels, 2 bales backing Laines. Also, lots for cash, Part of the two invoices of Dry Goods, received from Trustees, and must be closed without reserve. And at 12 o'clock precisely, 36 bbls. and 40 bbls. Muscovado Sugar, 21 boxes Havana white do. 24 casks of the first quality Claret, 20 puncheons of very fine Antigua Rum, 12 pipes Holland Gin, 70 bags good Coffee.

And 13 pipes of old Cogniac Brandy for cash. THOMAS CHASE, Auctioneers. Sept 23.

Sale by Auction.

Is now landing, and will be added to the sale to-morrow at 10 o'clock, 70 boxes Brown and White Sugar, 18 bbls. very Green Coffee, 800 boxes Spanish Sugars, 22 tons Fustic. And THOMAS CHASE, Auctioneers. Sept 23.

John Marshe, Broker,

Has removed his office from Gay-street, to No. 9, Water-street, between the custom and Market-houses, where he will continue to act in the above capacity. He wishes to purchase, A few shares of the Mechanics' Bank of Baltimore. And offers for sale, Sixty Shares of the Union Bank of Maryland. September 23. 2awdt

Just Received

Per schr. Bide, from Martinique, and for sale, 62 bbls. White Clayed Sugar, 7 bbls. Brown do. do. 61 bbls. first quality Muscovado do. 7 bbls. Coffee, 32 bags Coffee, And about 10,000 wt Cassia Jestuta. EALON R. PARTIDGE, At A. Webster & Co's. C. H. Sept 23. eo4tt

Best Pickling Vinegar

4,000 Gallons Genuine Cyder Vinegar, 500 do. White Wine do. may be had of the subscriber by the bbl. bbl. or less quantity, at No. 49, North Howard-street. WILLIAM J. ALCOCK. Sept 23. d4t

The Subscribers

Having declined the Dry Goods Business, will thank those indebted to them to make immediate payment—and those having claims against us, to bring them in for settlement. JOS. C. & JNO WHITE. Sept 23. d30t

Rye Whiskey.

350 bbls RYE WHISKEY, for sale by CAMPBELL P WHITE. Sept 23. d4tt

BARCLAY & M'KEAN

HAVE IMPORTED FALL GOODS. Sept 23. d40tt

Gooding, Hutchins, and Co.

Have imported in the late arrivals, Superfine Cloths and Cassimeres, Calicoes, Muslins, Dimities, Shawls, Waistcoating, Coat n Umbrellas, Silk Hosiery, other Silk Goods, Cotton Laces and Shirtings, Ribbons, Leather Gloves, Fig Blue. All subject to drawback. With a variety of Woollens, which will be sold low by the package. Sept 23. eo4tt

To be Sold or Rented,

A large, convenient two-story Brick House, with the very best dry cellars, in a healthy situation, suitable for a large family, with back building sufficient, viz. Piazza, Kitchen, Wash-House, smoke House, and Stable, in complete order; immediate possession may be had. If sold, the purchaser may have accommodating terms; if rented, the rent will be moderate. Also to be sold, A Plantation, of near 500 acres, one half in woods, within 12 miles of Baltimore, and on navigable water, on advantageous terms to the purchaser. Apply to CHRISTOPHER HUGHES. Sept 23. d4t-co6t

SHERIFFALTY.

Beale Spurrier,

With some assurance of support, offers himself as a candidate for the office of Sheriff at the next election: he conceives himself competent to the duties of the office, and respectfully solicits the patronage of the voters of Baltimore county and city. Should the suffrages of his fellow-citizens place him in office, he will keep in grateful remembrance the source from whence he obtained it: and although he has not pledged to offer that his official conduct shall give universal satisfaction, is yet willing to say, that his discretionary powers shall be exercised with moderation, and that he never will be the instrument by which a sacrifice of feeling or property shall be made to gratify the caprice of any individual. September 23. T&F2m

DANCING.

Mr. B. B. Professor of Dancing in St. Mary's College and of Mrs. Lacombe's Young Ladies Academy, has the honor of informing his former Pupils and the public in general, that his Dancing Academy will commence on Thursday, the 1st day of October.

A thirteen years' residence in this city as a Professor of Dancing, and the late stay Mr. B. B. has made in Paris, enable him to offer to a discerning public, both experience & novelty in the agreeable Art of Dancing. As Mr. B. B. has been in the necessity of resigning Schoolers last winter, those who intend joining his School, are desired to make immediate application.

Mr. B. B. also informs the ladies and gentlemen of Baltimore, that he will give private lessons either at their own houses, or at his B. B. Room, in Water street, opposite Mr. Elken Solomon's, Broker. Sept 22. eo4t

For Sale,

A FARM on Elk Ridge, about 18 or 20 miles distant from Baltimore, within a mile of the Frederick town Turnpike Road, with a comfortable Dwelling, and other out houses, a lime kiln, and a quantity of wood for the support of the place, and will make an excellent Grazing Farm. Also, 296 acres within 6 miles of Baltimore, nearly two-thirds of which is in wood. For terms, which will be accommodating, apply at Mr. William Child's store, No. 83, Bowly's wharf. Sept 23. eo1m

Mathematical Instruments. For sale at Mr. W. H. Galt's, Tell's Point. They will be sold at a small advance on the invoice, for good negotiable paper. As they are just received, and consist principally of Navigation Instruments & Charts, they must certainly be an object worthy of attention, to those who retail such articles. September 23. eo4tt

Just Received

By the brig Dove, C. Chelis, from Madeira, A choice parcel of fine old Madeira WINES, fit for immediate use, in butts, pipes, half pipes and quarter casks, which will be sold low on a credit of 12 months. JACOB ADAMS. d1t

Wanted as a Tutor in private family, a gentleman capable of Teaching Greek and Latin, and the first branches of the Mathematics. To such a one, a liberal salary will be accorded. Apply at this office. Sept 22. d

Notice

The subscriber is compelled to notify his creditors of his intention to apply to Baltimore county court, at its next session, or in its recess, to one of the judges thereof, for the benefit of the insolvent Laws of this state. JAMES WEST. Sept 22. dcm

For Sale,

If immediate application is made, A stout, healthy NEGRO BOY, about 17 years of age. This boy is not sold for any fault, and will be found valuable. September 22. d4t

William Matthews

Has just received, 205 barrels Tar and Turpentine. On hand, 51 bbls. Sugar, Pork, Lard and Cotton. September 21. d4t

Just received,

A few Red PLUMES, fourteen inches long, which will be sold low if immediate application is made to JAMES HANNA, 102, Market street. Sept 21. d4t

To Let,

Two ROOMS furnished or not, in a healthy situation, in a good neighborhood, and good water, about one minute's walk from Baltimore-street. Inquire at this office. Sept 21. d4t

Buffum and Goodhue,

No. 84, Bealy's wharf, Have received per schooner Three Friends, capt. Sears, from Boston, 170 reams Wrapping Paper, 105 boxes White Cod Fish. Sept 21. d6t

James Dall & Co.

Have imported per the Othello, Canawa and Fame, from Liverpool, Woollens and Irish Linens, Lawns and Dowls. And per the Junonia, from London, Hosiery, Muslins, Calicoes Cloths, Kerseys, Threads, &c. Which will be sold on their usual terms. Sept 19. d4t

Lost.

Was lost this morning, in the Marsh-market a Black Morocco POCKET-BOOK, containing a number of papers; among which is a Note drawn by J. S. Sleeper in favour of E. Utter, dated the 15th instant, for \$529 43.—Payment of the said note being stopped, the finder will be generously rewarded, on leaving the same at this office. Sept 19. d4tt

City Commissioners' Office,

Baltimore, 21st September, 1807. NOTICE IS HEREBY GIVEN, That the City Commissioners have appointed Nicholas Martin and Jesse Hicks, colored men, to seize and take all Hogs, Goats and Geese found at large within the said city, and the same to sell and dispose of at public sale, for the use of the corporation, agreeably to an ordinance passed the 4th May, 1801. By order, SAMUEL VINCENT, Clerk. Sept 21. d4t

W. L. & J. Barney

Have for sale Direct Bills on London, at 50 days sight. Also, The Cargo of the Snow Paragon, E. Evelth, master, from Trieste and Sicily. Consists of, Faro - Marsala Wines, Hollow Glass Ware, Blue Marble d Castle Soap, Zante Currants, Sweet Almonds, Black & col Sewing Silk, Florentine Green Silks &c. Also, 118 boxes superior quality Havana Sugars, and a few pipes old Madeira Wine. Sept 19. d4w-co1m

LOST.

A printed BOOK of RECEIPTS for Rent due the Vestry of St. Paul's Parish the 5th of March last. Whoever may have found the same, is requested to give notice to or leave it with the Printer of this paper, or at the store of Cole and L. Bernal, 174, Market-st. &c. As it can be of service to any but the looser, the finder is desired to leave it as above directed, for which he shall receive the only reward in the power of the looser, his most hearty thanks. Sept 22. d4t

Wa ted.

A Negro man Servant, one that can come well recommended, is Sober and industrious, will meet with encouragement. Inquire of the Printer. Sept 19. d4t

The plan of the Review. Of the Third Brigade of Volunteer Militia, which is to be held on 19th October, for sale, by Callender and Wills, No. 11 South-street, Samuel Barnes Fed's point, and at the office of the Federal Gazette. Sept 19. d

Russia Duck.

One hundred bolts RUSSIA DUCK, just received per schooner Friendship, from New-York, and for sale. Apply to the Subscriber at the Custom-House. JAMES HAMILTON. d

Imported

By the ship George and Albert, captain J. C. Vickers, from Tonnage, White & brown Platillas, of superior quality, and Casserilles, 3 lly, 1000 oval De-mijohns, (The above entitled to drawback.) And by the late arrivals in Philadelphia from Downing, A General Assortment of German Woolen Hosiery.

On hand, Bohemia Window Glass 10 by 12, Ticklurgs, Rouans, white Rolls, and Checks No 2, 5000 Gunny Bags, For sale by FREDERICK C GRAF, Head of Smith's dock. Sept 22. d

To Let,

A STORE at present occupied as a Grocery, situated corner of Calvert & Bank streets. In point of situation it exceeds any in Baltimore, being in the great thoroughfare from the wharves to Baltimore street, and the opposite parts of the city. It has at present a very considerable run of business, and is daily increasing; and if agreeable to the tenant the present stock of Groceries, consisting of a handsome assortment, will be sold at a fair price, and on liberal credit. Apply on the premises. Sept 22. d4t

Wanted to Purchase,

A parcel of Turkish Shell, and Ivory. Inquire at John P. Sides' Comb Manufactory, Brandy-alley, opposite Otterbein's church. J. P. SPIES. 2aw8t

The Baltimore Fishmen. Are required to meet to-morrow (Thursday) afternoon, at four o'clock, in Howard's Park. By order, T. ROGERS, Secry. Sept 22.

Marine Society.

A quarterly meeting will be held at Pamphilon's Hotel, on Saturday, the 26th instant, at 6 o'clock in the evening. By order of the President, JOHN HAMILTON, Secry. d4t

A general meeting of the Members of the Handelian Charitable Society is requested at Christ Church, on Friday evening next, half past 7 o'clock. H. H. HAYDEN, Secry. Sept 23.

Baltimore Union Volunteers, You are requested to attend a meeting on Thursday Evening, over Fink's B. U. S. on business relative to the company. Punctuality is desirable. By order of the Captain, JOHN WHITELOCK, 1st Sergt. Sept 23.

The First Baltimore Troop, Will meet on Friday next, at half past 3 o'clock, in Stable Jackets, provided with 6 cartridges each. Punctual attendance of the members is earnestly requested. By order, WM. M. MAYNARD, Secry. Sept 23.

Baltimore Mechanical Volunteers, You are ordered to meet on Thursday next, at two o'clock, in front of the Second Presbyterian Meeting-house, in complete uniform, with arms and accoutrements in good order. The members are desired to take notice that this is a stated monthly parade; cartridges furnished on the ground; roll called at half past two o'clock precisely, and all absentees fined. J. K. STAPLETON, Secry. September 23.

Baltimore United Volunteers, You are ordered to meet next FRIDAY AFTERNOON, at half past three o'clock, on Mr. Lindenberger's Lot, at the extremity of Pratt-street, with arms and accoutrements. The roll will be called at four o'clock precisely, and all absentees at that time will be fined. JOHN REINICKER, Secry. Sept 23.