

...they were innocent. The sacrificer deprived of his victims, such inconvenient obstacles to the work of blood as courts of justice were to be removed, and military tribunals erected in their place, to insure dispatch in executing summary justice. Martial law might be proclaimed, but it would and should be abolished and put down by the redeeming spirit in the people. The times were alarming and required additional safeguards for freedom & checks on power instead of diminishing those already provided.

Mr. Gaston, merely rose to answer a remark which had been made by a gentleman from Vermont, (Mr. Fisk) and which had not been answered. The gentleman supposed the case of treason being committed out of the jurisdiction of the United States, and he asked where is the law to punish the offender. Sir, said Mr. G. the constitution has given to congress the power to pass laws for the punishment of treason, committed either in the United States or elsewhere, and the only question is, has congress made the provision? By diverting to the first volume of the laws of the U. S. it will be found that one of the first acts congress did was to pass a law punishing treason. In this law, treason committed against the U. S. not within either of the states, is punishable with death, and the place is designated where the offenders shall be tried. Sir, I am as much disposed as my honorable colleague (Mr. Macon) to extend acts of courtesy to members of this house, but I can never consent to refer to any committee, whether we shall punish an offence in a different manner from that which the constitution prescribes.

The question was then taken by yeas and nays, and determined in the affirmative—Yeas 86, nays 77.

#### TURREAU'S LETTER.

Mr. Hanson said, he had had the honor a few days ago of submitting two resolutions to the consideration of the house, which they had the politeness to consider. He had not since pressed the subject upon the attention of the house, not because he was not impressed with a due sense of its importance, but because he was content that other business of an urgent nature in the opinion of the majority, should have a preference. It now, however, fully appeared from the proceedings of the day, that the house had leisure to bestow on such subjects, and the interest and magnitude of the question he had agitated, gave it a claim to the earliest and most serious attention of the house.

It would be recollected, the first resolution the house had agreed to consider, called for information from the president, touching our French relations. The second was designed to be the foundation of an enquiry into the existence and character of a very celebrated document, commonly called and known by the name of Turreau's letter, which had engaged so large a share of public attention during the fall vacation. Mr. H. said, a circumstance unknown to him at the time of offering the resolutions, but which had since transpired, rendered it proper to pursue a different course, from the one first intended, in prosecuting this enquiry.

The speaker enquired whether the gentleman had a motion to submit, as otherwise his remarks would not be in order.

Mr. Hanson said, he held in his hand a resolution which he would presently send to the chair. Unless he were permitted to explain the object of his motion and the motive for introducing it, the reason of the course he proposed taking, would not be understood. The Speaker requested him to proceed.

Mr. H. said, there were two substantial reasons why the resolutions already in possession of the house should be separated, and a motion in a different form substituted to the second, which he proposed to withdraw. In the first place it would be mere ceremony, and of no avail to call on the president to lay before the house a document confessedly not in his possession, or under his controul, the original having been withdrawn, and no traces of it being left on the records of the department to which it belonged, and the only official translation, as Mr. H. was authorized to say, in the hand writing of the chief clerk of that department, being now in his Mr. H.'s possession. [Here Mr. H. drew from his pocket the document.] I hold it in my hand, said he, having brought it with me to my place; that the house as the grand request of the nation might see and use it as should be proper upon acting on the subject. From this new view and state of the case, as the

document was now in his hands, and he offered to put it in the possession of the house, that it might be authentically stated, it would be useless, a mere evasion to send a committee of the house to the president upon an idle errand. The president could give but one answer, which it required no foresight to anticipate, to wit: he had no such document to communicate to the house for the best of all possible reasons, because it was taken away from the department of state, and of course was not there, because—it was not there.

It was therefore, said Mr. H. peculiarly proper, if an effectual enquiry was to be conducted to a practical result and decisive issue, that the motion should assume a shape suited to the actual state of the case. If it was not the intention of the house to conduct the enquiry to such an issue, then was it mere show and ceremony to entertain the original motion. By agreeing to consider it in the first instance, a pledge had been impliedly given by the majority to go through with the business, and probe the transaction to the bottom. The Speaker again interrupted.

Mr. H. said, he wished his motive and object to be understood before he withdrew his resolution, which could not be the case, unless he was allowed to explain himself. From what had passed to day, & had been witnessed on other occasions, he could not be mistaken, when he said a practice had now obtained of granting full liberty to the mover of a resolution to introduce it with explanatory remarks. He would again say, that his object was to withdraw his resolution, and offer another in its place. Without the liberty of explaining himself, he could not hope to be understood by the house or the chair—Mr. H. was permitted to proceed.

He said his second reason for wishing to withdraw his second resolution, was, that it would not comport with the respect due from the house to the chief magistrate of the nation, (a respect which, as one of the house, he would always pay him) to call upon him for information, which, if given, would criminate himself, would, in short, amount to self-condemnation. He was not bound, nor could he be expected to condemn or criminate himself. This was not expected, nor was it to be desired, as the facts could easily be established in a way more agreeable to established usage, and conformable to parliamentary practice and rule. Mr. H. added, if the statement he made in his place on a former occasion was substantiated, and he would repeat, not unmindful of the responsibility, that he had not a doubt it would be, if a committee were appointed with power to send for persons and papers, then it would be seen, then it could be admitted, that the people had been much wronged, and an awful responsibility attached somewhere.

Mr. H. said, if it devolved upon him to conduct this enquiry, as one of a committee, he should investigate and discuss the subject at all times freely, and he hoped dispassionately, trusting that the house would feel itself equally bound to listen to him with patience, and to act on the subject with a becoming temperance.

Mr. H. was here opening a discussion of the merits of the resolution, but he suddenly checked himself, observing that he would not abuse the indulgence already extended to him by the chair, by infringing the rule of the house as expounded and understood. He then submitted the following resolutions.

**RESOLVED**, That the president of the United States be, and he is hereby requested to communicate to this house any information in his possession, and which it may not be improper to divulge, in relation to the omission or refusal of the French government to accredit the minister plenipotentiary sent by the U. States to that court, or of his reception if accredited, of the time when he was so accredited, and of the progress of his negotiation.

**RESOLVED**, That a committee be appointed to enquire whether Mr. Turreau, late minister of France, did or did not, on or about the 14th of June, 1807, write a letter to the secretary of state, setting forth the terms and conditions upon which his government would treat of amity and commerce with the U. States, and urging certain complaints against this government, and requiring certain political sacrifices to be made as an indispensable pre-requisite to the formation of such a treaty, and whether the said letter was not withdrawn from the archives of the department of state, and how and when it was so withdrawn, and that the

said committee, have power to send for persons and papers.  
The question was then taken to consider the resolution, and determined in the affirmative—Yeas 90, nays 69.  
Adjourned.

Tuesday, Jan. 11.

Mr. Lowndes, from the committee on naval affairs, reported a bill further to amend the act making provision for the families of the officers and seamen who should be lost in private armed vessels of the U. States, which was referred to a committee of the whole on Friday.

The house then proceeded to consider the resolutions offered yesterday by Mr. Hanson—and a division of the question being called for by Mr. Calhoun, it was taken upon the first resolution, which was adopted without a division.

Upon the question to agree to the second resolution, an able and animated debate ensued, in which the resolution was supported by Messrs. Hanson, Gaston, Oakley, Grosvenor, Macon and Stockton, and opposed by Messrs. Calhoun, Roberts, Wright, Sharp, Alston and McKim. During the debate a motion was made to postpone the consideration until the first of March, which was decided in the negative by yeas and nays—Yeas 37, nays 127.

A motion was also made by Mr. Bayly, to amend the resolution, by substituting the resolution before offered by Mr. Hanson, which was decided in the negative—7 to 150.

About 4 o'clock the question was taken on the resolution by yeas and nays, and decided in the negative—Yeas 60, nays 109.  
Adjourned.

### Legislature of Maryland.

#### HOUSE OF DELEGATES.

Thursday, Jan. 13.

The supplement to the act, entitled, An act respecting the equity jurisdiction of the county courts, was read the second time, and the question put, Shall the said bill pass? The yeas and nays being required appeared as follow.

#### AFFIRMATIVE.

Messrs. Plater, Millard, Blackiston, Boyer, Jervis Spencer, Blake, Taney, Turner, Stonestreet, Ford, Parnham, Randall, Bennett, Martin, S. Stevens, Bayly, Cottman, Waller, Long, Stewart, Griffith, Tootel, Lecombe, J. R. Evans, Lusby, Hogg, R. Evans, F. M. Hall, Burgess, Wright, Wilson, Quinton, Handy, J. Thomas, J. H. Thomas, Forwood of Wm. Forwood, of Jb. Saulsbury, Potter, Culbreth, Willis, Jones, Kilgour, Crabb, McCulloh, Robinett, Howard, Browne—48.

#### NEGATIVE.

Messrs. Dorsey, Sellman, Belt, Wm. Hall, Hands, Harryman, Stansbury, Claude, Duval, Barney, Donaldson, Tilghman, Mason, Kershner, Gabby, Warner—16.

#### Resolved in the affirmative.

The bill to establish a bank, and incorporate a company, under the title of the Farmers and Mechanics Bank of Salisbury, was read the second time, and the question put, Shall the said bill pass? The yeas and nays being required appeared as follow:

#### AFFIRMATIVE.

Messrs. Millard, Blackiston, Boyer, Jervis Spencer, Browne, Belt, Stonestreet, Bayly, Cottman, Waller, Long, Stewart, Griffith, Tootel, J. R. Evans, Lusby, Hogg, R. Evans, Burgess, Wright, Handy, Forwood of Wm. Maulsby, Saulsbury, Potter—23.

#### NEGATIVE.

Messrs. Plater, Hands, Dorsey, Sellman, Wm. Hall, Blake, Taney, Turner, Ford, Parnham, Randall, Warner, Stansbury, Bennett, Martin, Jona. Spencer, S. Stevens, Lecombe, F. M. Hall, Somervell, Claude, Duvall, Wilson, J. Thomas, J. H. Thomas, Forwood of Jb. Culbreth, Willis, Barney, Donaldson, Tilghman, Mason, Kershner, Gabby, Jones, Kilgour, Crabb, Hilleary, Robinett, McCulloh, Harryman—41.

Determined in the negative.

Mr. Sellman delivers a petition from the trustees of the Lancaster School in St. James's Parish in Annapolis, county praying a donation from the state. Read and referred.

Mr. Howard delivers a supplement to the act, entitled, An act to incorporate a company to make a turnpike road leading to Cumberland, and for the extension of the charters of the several banks in the city of Baltimore and for other purposes. Read.

The house proceeded to the consideration of the bill, for levying an additional tax on property within the City and Precincts of Baltimore; the bill having been read throughout

and amended, the question was put, Shall the said bill pass?  
The yeas and nays being required appeared as follow.

#### AFFIRMATIVE.

Messrs. Dorsey, Sellman, Belt, Wm. Hall, Blake, Randall, Harryman, Warner, Stansbury, Bennett, Martin, Jona. Spencer, Samuel Stevens, Bayly, Waller, Long, Stewart, Griffith, Lecombe, Hogg, Robert Evans, Claude, Duval, Burgess, Wright, Forwood of Wm. Forwood of Jb. Maulsby, Saulsbury, Culbreth, Willis, Barney, Donaldson, Tilghman, Mason, Kershner, Gabby—37.

#### NEGATIVE.

Messrs. Plater, Millard, Blackiston, Boyer, Jervis Spencer, Hands, Brown, Taney, Turner, Stonestreet, Ford, Parnham, Cottman, Tootel, J. R. Evans, Lusby, Francia, M. Hall, Somervell, Wilson, Handy, J. Thomas, Jno. H. Thomas, Potter, Jones, Kilgour, Crabb, Hilleary, Robinett, McCulloh, Howard—30.

So it was resolved in the affirmative.

The clerk of the senate delivers the following message.  
Gentlemen of the house of delegates,

From the business before us we believe the whole may be acted on, and the session brought to a close on the 20th inst. We therefore propose, with the concurrence of your house, to adjourn the legislature on that day.

By order T. ROGERS, Clk.

Adjourned.

Friday, Jan. 14.

On motion by Mr. Long, the question was put, That the house consider the bill for levying an additional tax on property within the city and precincts of Baltimore? Resolved in the affirmative—Yeas 41, nays 30.

On motion by Mr. J. H. Thomas, the question was put, That the following be inserted as an additional section to the bill:

And be it enacted, That the Governor and Council shall appoint five persons of integrity and firmness, not residents of the city of Baltimore, as commissioners under this section, who, after having taken an oath to perform their duty justly and impartially, shall proceed to assess and value the damages sustained by Jane White from the violence of the mob of Baltimore, committed on the house in Charles-street of which she was proprietor, during the riots in the said city in the month of July eighteen hundred and twelve, and shall assess & value the damages sustained by Alexander C. Hanson and Jacob Wagner, Esquires, from the violence of the mob aforesaid, in destroying the printing office of the Federal Republican in Gay-street, and their furniture and other property in Charles-street, during the riots in said city in June and July eighteen hundred and twelve; and that the said commissioners shall make return under their hands and seals, of their valuation of damages aforesaid, to the Mayor and City Council of Baltimore, whose duty it shall be to pay and satisfy the same out of the amount of funds to be raised under the taxes authorized by this law, before any other application thereof; and in case of the refusal or neglect of the said Mayor and City Council to pay, or cause to be paid, out of the funds so to be raised, the damages aforesaid, to the respective parties entitled to the same, their legal representatives or assigns, in that case the said mayor and members of the said city council shall be liable, in their individual capacities, jointly or severally, to be sued by the respective parties aggrieved, in an action for money had and received, and a recovery may be had against them personally for the damages respectively assessed and valued as aforesaid?

The yeas and nays being required appeared as follow.

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Messrs. Plater, Millard, Causin, Blackiston, Boyer, Jervis Spencer, Hands, Browne, Taney, Turner, Stonestreet, Ford, Parnham, Rogerston, Cottman, Waller, Long, Stewart, Griffith, Tootel, Hogg, R. Evans, F. M. Hall, Somervell, Callis, Wilson, Quinton, Handy, J. Thomas, Delaplaine, J. H. Thomas, Potter, Jones, Kilgour, Crabb, Hilleary, Robinett, McCulloh, Howard—39.

#### NEGATIVE.

Messrs. Dorsey, Sellman, Belt, Wm. Hall, Blake, Randall, Harryman, Warner, Stansbury, Bennett, Martin, Jona. Spencer, S. Stevens, Lecombe, F. M. Hall, Somervell, Claude, Duvall, Wilson, J. Thomas, J. H. Thomas, Forwood of Wm. Forwood, of Jb. Culbreth, Willis, Barney, Donaldson, Tilghman, Mason, Kershner, Gabby, Jones, Kilgour, Crabb, Hilleary, Robinett, McCulloh, Harryman—41.

#### Resolved in the affirmative.

The bill to establish a bank, and incorporate a company, under the title of the Farmers and Mechanics Bank of Salisbury, was read the second time, and the question put, Shall the said bill pass? The yeas and nays being required appeared as follow:

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Determined in the negative.

Mr. Sellman delivers a petition from the trustees of the Lancaster School in St. James's Parish in Annapolis, county praying a donation from the state. Read and referred.

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So it was resolved in the affirmative.

The clerk of the senate delivers the following message.  
Gentlemen of the house of delegates,

From the business before us we believe the whole may be acted on, and the session brought to a close on the 20th inst. We therefore propose, with the concurrence of your house, to adjourn the legislature on that day.

By order T. ROGERS, Clk.

Adjourned.

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Determined in the negative.

Mr. Sellman delivers a petition from the trustees of the Lancaster School in St. James's Parish in Annapolis, county praying a donation from the state. Read and referred.

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So it was resolved in the affirmative.

The clerk of the senate delivers the following message.  
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Determined in the negative.

Mr. Sellman delivers a petition from the trustees of the Lancaster School in St. James's Parish in Annapolis, county praying a donation from the state. Read and referred.

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