AMERICAN,

Commercial Daily Advertiser.

Daily 7, and Gazette 5 dollars per amum.

SATURDAY, MARCH 2. 1805.

Congress

United States of America.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, February 20.

The House resolved itself into a committee of the whole, and attended the trial of Samuel Chase, and after some time spent thereig, the committe returned, and Mr. Speaker having resumed the Chair.

Mr. VARNUM reported, that the committee had attended the said trial, and that a farther progress had been made therein.

A, message in writing was received from the President of the United States, as follows: To the Senate and House of Representatives

of the United States. Congress a letter of September 18th from Commodore Prebie, giving a derailed account of the transactions of the

ly the 9th to the 10th September last

I'be energy and judgment displayed by this excellent officer through the whole course of the service lately confided to him, and the zeal and bravery ef bis officers and men in the several enterprizes executed by them, cannot fail to give high satisfaction to Congress and their country, of whom they have deserv-

TH: JEFFERSON.

February 20th, 1805. The said message and the prpers transmitted therewith, were releried to Mr. Varnum, Mr. J. Clay, M . M'Cree. ry, Mr. Dans, and Mr. Lewndes.

ed well.

The Speaker laid before the House a letter from the Secretary of the Treasu-Fry, transmitting a statement exhibiting the amount of duties a d drawbacks on goods, wares and merchandize, imported Into the United States, and exported therefrom, during the years 1801, 1802 and 1803; which were read, and ordered to le on the abie,

A petition yas presented from sundry Inhabitar of 61. Pennsy vanie, praying for the establishment of a post road from Northtown, by the way of Pughtown,

Referred to the committee on Post of Des and Post roads.

Mr, Holland reported a bill to autho-Fise the leasing the public lands in the City of Washington, when was read the first and second time, and committed to a committée of the whole House on Satur-

day next. The committee of the whole House was discharged from the farther consideration of the bill for the relief of the sufferers by fire in the City of New York, and it was committed, with the amendment reported thereto, to the committee of Commerce and Manufac-

A message was received from the Se-Date botifying that they have agreed to the resolution of this House for the appointment of a joint committee to consider and report what business is necessary to be done during the present session and that they have appointed a committee on their part.

Mr. Dona, from the committee of claims, made a report on the case of the Danish Brigaptine Henrick, wnich was read and ordered to be referred to a com. mittee of the whole House, to morrow.

Mr. Dona, from the same com litre made a report on the petition of Oliver Polluck, which was reterred to a committee of the whole House, to merrow. Mr. Dana also made a report on the Pelition of George Little, which was referred to a committee of the whole H. me 16 martow.

A petition was presented from David Lewis, of Washington county, (Rhode-Island:) which was relerred to the committee of claims

C On mollon Reserved, That a committee be appointed to enquire whether any and what provision is liecessary; to extend to all parties interested thereing the benefit of bonds given by Marshals for the faithful performance of the dytics of their office. Meisre Baldwin, Dawson and Nelson,

were appointed, said committee. Ordered. That the committee of the whole House, be discharged from the farther consideration of the report of the committee of claims, on the petition of Francis Mentges.

The House then took into consideration the said report and the resolution therein container, to wit.

Resolved, That Francis Mentges have team to withdraw his petition, together With the papers accompanying the same. And on the squestion; will the House exter to the said tesolution?

report on the petition of Simon Philipson, which was referred to a committee of the whole House, to morrow.

Mr. Growninshield, from the same co'nmittee, to whom was re-committed, the bill for the relief of Pailip Nicklin, and R. B. Griffith, teported the same with amendment, and also a detailed statement of facts in relation to the said claim, which, egether with the bil., was committed to a committee of the whole House, to-morrow. Adjourned.

THURSDAY, February 21.

The House met pursuant to adjournment, but a quorum not being formed -The House adjourned until half past two,

Half past two, P. M. The House again met, pursuant to adjournment, when,

On motion made and seconded. The House adjourned until to morrow.

FRIDAY, Feb. 22.

morning, 10 o'clock.

Mr. 7. Clay, from the committee of Ways and Means reported their agree. ment to the amendments of the Senate. to the bill making appropriations for the support of Government for the year 1805, whereupon,

the bill, with the amendments, were committed to a committee of the whole House, this day.

The Speaker laid before the ilouse, a I communicate for the information of letter from the Secretary of the Treasury, transmitting an account of the rereceipts and expenditures of the United States for the year 1803, with a letter vessels under his command from Ju- from the Reguler of the Treatury thereon, which were ordered to lie on the table.

A message was received from the Senate, notifying that they have pailed tre bill amendatory of the act to lay and collect a direct tax within the United

The Speaker laid before the House a letter from the Secretary of the accompanied with a lin of the names of persons who have invented any new or useful art, machine, manu...cture &c. &c. which were ordered to lie on the ta-

Mr. J. Clay made a report on the peti tion of Anthony Benezet, which was ordered to lie on the table.

A memorial was presented from sundry infiabitants of the ecunty of Brooke in Virginia, and of Washington county, Pennsylvania, which was referred to the committee of the whole House to whom were sommitted the bill making provilion for the application of the money hereto fore appropriated to the laying out and making public roads, leading from the navigable waters emptying into the Atlantic and to the Ohio river.

A petition was presented from sundry merchants, masters, and owners of sloops. and vellels nayigating between the city of Albany and the port of New York, &c. which was referred to the committee of the whole House, to whom was committed the bill making appropriations for the support of government for the year

The House resolved itself into a committee of the whole and attended the trial of Samuel Chase, and after some time spent therein, the committee returned and Mr. Speaker, having relumed the chair.

Mr. Varnum reported, that the com mittee had attended the faid trial, and that a farther progress had been made

th rein. Adjourned.

HIGH COURT OF IMPEACHMENT.

Monday, February 11.

Exidence on the part of the United States. CONTINUED. Edward Tilghman, sworn.

Mr. Nicholson-Please to relate any information you may possels relative io the trial of Fries.

Mr. Tilghman-I was present at the cir uit court of the United States for the district of Pennsylvania, on the 22d of April 1800, very shortly after the court was called, but whether the general pannel of the jury was called over I do not recollect. Judge Chase declared that the court had maturely considered the law., a. rifing upon the overt acts charged in the indictment against John Fries. That they had reduced their opinion to writing. He mentioned that he understood that at the former trial of Fries, much time had been wasted, and that in order to save time they had ordered three copies of their opinion to be made out by their clerk, one to be delivered to the attorner for the District, another to the counsel for the prisoner, and a third to be delivered to the jury to take out with them. I took no notes on the fifft or I cond day. Fries was tried on the the third day, and having been appointed in conjunction with Mr., Moles Levy, counsel for Hainy and Getman who stood indicted for treason, and who were tried on the twenty-seventh of twenty-eigth day of the month. I deemed it my duty to attend to the trial of Fries, fand to take notes of the evidence the arguments of the countel-and the Chale, then faid " then by the blelling of charge of the court to the jury. I do not | God the court will be your counsel, & will recollect that Jodge Chale faid any more lerve you as well as your counsel whuld on the first-day previous to his throwing bave done. The trial then proceeded

the entrance of the prisouer's bar. The pri- for the prisoner. soner was not then in court but was bro't ! in some time that morning. I entered into conversation with Mr. Lewis, and as well as I can recollect, during that conversation Mr. Dallas came into court, some conversation took place between him and Mr. Lewis in my hearing, after which they came forward to the bar table. The paper was then handed by Mr. Caldwell the clerk to Mr. Lewis. Mr. lewis cast his eyes upon the paper and threw it from him, as is appeared to me, without reading it. The moment he threw it down, he observed, " my hand shall never be stained by receiving a prejudged opinion, or one made up without hearing counsel." I have not any recollection of any thing further passing on the first day between the counsel and the court; when Mr. Lewis made use of the last expression, his face was not turned towards the court, and he spoke with much warmth. The paper which had been thrown on the table laid there a considerable time, after which some gentleman of the bar took it, and I for one copied it; whether I copied the M. whole I cannot tell. The p isoner being then brought into court, his counsel had a good deal of conversation with him up. on the point, whether they should be his counsel or should withdraw. I do not recollect whether Fries was brought up that day for trial. After the adjournment of the court which was early in the day, went home, and after dinn r I took walk: upon my returning home, I saw the attorney jot the district at my door in the act of departing, when he saw me he waited until I came up and asked me whether I had any objection to deliver up the copy which I had taken of the paper thrown own by the court. Ianswered that I had not, and immediately delivered it to him. I also informed him that Mr. Thomas Ross, a gentleman of the bas, had taken a copy, and he departed. The paper was not read by the court nor any thing stated by them to be the substance of it. On the next morning the prisoner was again brought into court and placed. at the bar. The court then asked his counted whether they were ready to proceed with his trial. Mr. Lewis rose and made use of a few words tending to shew that they were no longer counsel for Fries. Judge Chase interrupted him, but do not recollect the precise words-the substance was, that the counsel were not to be read to the court, and mentioned the | the pleadings will close. case of the man in England whose stag the king killed and who wished the horns in the king's belly, and also the case of the man who kept the fign of the crown, and who said that he would make his son heir to the crown. He said such cases as those must not, should not ne read, and I think made use of this expression, " what cases from Rome, Turkey, or France?"-That the counsel might cite what was law, but not what was not the law .-Judge Chase surther observed that he had an opinion in point of law as to every case that could be brought before the court, or he was not fit to sit there. - He said something as to the coun'els proceeding or not proceeding agreeable to their

nor proceed in the defence of Fries, Judge Chase observed, "you may think to bring the court into difficulties gentlemen, bus if you do you mils your him." Judge Peters seemed very solicitous that the counsel should proceed, and asked them wheher if an error had been comm tted by the court, why should they not be at liberty to correct it, and added that the papers had all been wilhdrawn, and think that both the judges concurred in faying that the case was to be considered as if the paper had never been thrown on the table. When Judge Peters observed that the paper had been withdrawn, it was replied that the court could not erase from their minds an opinion which had been formed without heating counsel. Mr. Dallas addressed the court but I have not recollection of what he said. The counsel continued firm in their determination of abandoning the prisoner. The court took great pains to induce them to act, and before the prisoner was remanded to jail, expressed their hope that the counsel would think better of it the next day, and sppour in his defence. I recollect nothing more on that day. On the third day the priloner was brought up and siked whether he had any counsel. He replied that he had none, and that he would depend upon the court, to be his countel. I Judge

consciences, and observed that the gentle-

men would proceed at the hazard of their

When it appeared that the counsel would

characters.

The shipwing down of the paper or papers | as well as the fact, and that cales decided The farmal declaration of war by (for I know not whether there was more. in England before their revolution, would | Spain was issued some time in the month. than one and the siddress of the junge not be received by the court as the law of Decembers capied a degree of agitation at the bar to with respect to treason. I have my notes At the time the frigate lef. Gibrallar, and a short time after the judge used the of the charge, stating the law of treason, Sir John Order with 7 sail of the lines. last expression, I looked around and saw which a very much the same as the opini- was blockeding Cadia. Ten gua bouts Mr. Lewis coming towards the bar: I on of Judge Patterson, delivered in the bad arrived at Algeziras from Cadiz, and stepped towards him and met him opposite | case of Mitchell, in which I was counsel | a considerable reinforcement was expect-

-Question by Mr. Randolph.

You say that when the written paper do you suppose that it arose?

ny, and now opinions being asked; how- ing of the John Adams, ever high we might estimate the opinions. The garrison of Gibraltar was reinforof Mr. Tilghman, yet it is not evidence. ced on the 8th of January by a re , ment and we must take the opinion of this honor- of troops from England. General Fox

The President requested Mr. Randolph | chief command. to reduce the question to writing, which At Gibraltar, beef 18 dolls. pork 24 heving been done, the question was taken doll's flour 18 and rising. in the court, whether it should be put to the witness, and determined unanimously on board the John Adams. in the negative.

[To be continued.]

MONDAY, February 25. The court opened at 10 o'clock A.

about 12 o'clock.

minutes Mr. HARPER, as concluding the Falls to break up and come in a large counsel on the part of judge Chase, ad body and with great force. At and below dressed the court, for the purpose of the Falls most of the ice remained firmly noticing points not fully insisted upon attached to the polition it had attained in relation to the six first articles, and during the winter. Thus dammed up. of investigating the seventh and eight the water role rapidly above the Falls to articles.

Having at three o'clock gone through him, the court adjourned for bait an

At the expiration of this period Mr. Hugh Holmes was called and examined on the part of the managers, when Mr Harper resumed his remarks, which he concluded and closed the defence, at a quarter after six o'clock.

TUESDAY, February 26. The court opened at 10 A. M.

Mr. NICHOLSON addressed the court, in a speech of about two hours length, on the First Article.

He was followed by Mr. RODNEY, who rose about one o'clock, and continued speaking until 3 o'clock; when a respite of the sitting | damage being effected .- During the week of the court took place for half an hour. At the expiration of which time, Mr. Rodney resumed, and continued speakconsider themselves as bound by the opi- | ing until half past 6 o'clock. He reviewnion of the court, but were at liberty to ed all those articles that relate to the telcombat that opinion on both sides. He als of Pries and Callender, and the conappeared to be anxious that the counsel duct of Judge Chase at Wilmington, thould proceed with the defence of the when stating that he was considerably prisoner. He observed that cases at com- latigued, the court adjourned until 10 mon law concerning treason ought not to o'clock to-motrow, when it is expected

NEW YORK, February 25.

We are indebied to the politeness of capiain Crocker, of the ship Diligence, for London papers to the 14th of December. The political intelligence they centrin having been anticipated by an ton, we have selected only the marine articles, which will be found in that depar ment of our paper.

The U. States frigate John Adams, in a gale of wind and hail storm. capt. Chauncey, (with Commodore Preble, and Consul O'Brien and' family on board) from the Mediterranean, arrived at Sandy Hook on Saturday last, and will probably come up the first fair wind. Capt. Newman of the ship Laura spoke her on Saurday, and informs, that there are a number of Turks on board.

CAPTURE OF THE MANHATTAN-Mr. Mumford, second mate of the ship Manhaitan, capt. Lasher, belonging to this port, came passenger in the brig Traveller, which arrived yesterday from Cayenne. The Munhattan lest Batavia about the middle of September. On the 11th February, in the latitude of Bermuds, she was buarded by the British sloop of war Busy, capt. Bing, of 16 guis, who took out 16 of her crew with the second maie; and put on board the. same number of men, with a prize master, and from the course she steered, it is believed she proceeded for New Providence, though the captors said they February,13 had achieber to Bermudgi. The reason alledged for taking possession of the vesses was her having French passengers. Mr. Mumford remained on board the Busy about two hours, when they fell in with the brig Traveller—they took from her (wo of her people, and put Mr. Mumford on board

February 26. The U. States frigage John Adams, capiain Chaurcy, from the Mediterrane an, came up last evening. Commodore Preb'e, his secretary, and Mr. Mortis, were passengers. Left Naples, the 23d December, and Gibraltar the 10 h Janpary. The declaration of war by Spein against England, had both received at

One of the officers of the frigate informs us that the inhabitants of Naples . Single numbers of the Trible will not be sold. expected a vieit from the Erench who Wrihat purpose were concentrating their orces in Calabria which is separated Ine paper or paper down on the per capic.

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ed, for the blockade of the Rock; in which case all vessels bound up the Straits will be liable to seisure.

The fever continued to rage with great was thrown on the bar table, it produced | violence at Cadiz, on the first of January. considerable agitation. From what cause It had so far abated at Malaga, that the - port was to be opened obout the 10th Jan-Mr. Harper.-I must take the opinion In Alicant, Barcelona, Leghorn, and of the court as to the propriety of putting | Gibraltar, it had nearly disappeared, and that question. On Saturday last we heard | bills of health were to be issued from much legal opinions given in the testimo- the latter place in sour days after the sail-

had superceded General Trigge, in the

Seven or eight Tripolitan prisoners are

TRENTON, February 25. Yesterday week considerable alarm was

created by the uncommon rising of the waters in the Delaware above the Falls at this place. Owing to the heavy rain and Mr. MARTIN closed his address at melting of the snow, a few days preceding, the river was so much swollen as to compel After a resp te of the sittings for 10 | the ice for a confiderable distance above 1.2 heighth which has not been experienced within the memory of man. It inundated the first branch of the duty assigned the low grounds above the Palls, over which the ice was forced with great violence, levelling all the lawer range of fencing of the lots on the bank of the river from the State-House to Rutherford's Ferry. At this Ferry the water was so high as to fill the cellar of the Ferry-House and cover the first floor of the lower apartment. In the stable two cows were drowned. On the Pennsylvania side some of the initabitants living on the margin of the river, were compelled to quit their bouses, and many were induced to remove their effects through apprehensions of the destruction which threatened. Happily, however, the water finally forced a passage, through the ice at the Falls and by thus getting vent prevented further past the mildness of the weather has effected a considerable opening in the ice below the Falls, so tares to remove, in a considerable degreenthe apprehensions of thole who have property on the margin of the river of further dissiters rirons sudden thaw and rain. Considerable budies of ice were forced against the Abutments of the Bridge now building across the Delaware at this place; but no injury; that we have learned was sustained either in the abutments or piers.

PHILADELPHIA, Pebruary 27.

A letter from the mate of the sch's Three Friends, (late Endicot) dated Cohansey Creek, Feb. 22; says, we have arrival in a shutter passage at Charles- | safe arrived here from S'. Bartholumews, and shall proceed to Reedy-Island tomorrow ; and adds, we were so unfortunate as to lose capt. Endicot overboard

> All those who are interested in the "stir of commerce & the hum of trade,". will hear with pleasure, that our river is at length freed from its icy felters. The ships Annawon, for Liverpool, the Conneclicut, for St. Domingo, and seteral others, were getting in readiness to sail this morning.

ROMANETT Catholic Cathedral Church LOTTERY TICKETS.

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> Chase's Trial-No. L. Price 25 cents.

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CHASESTREALS

The opening of the Court of Imperchaent with a description of it the preparatory goments. | Mr. Chaic's speechang amounted of trial the speech of this; Handolph in sehalf of the managers, at its commencement the list you witnesses for and against the learned Inoge, with the evidence and cents-exmination of mr. Lewis and mr. Dallas. Not II, is in the Press; sed will be published

work confident ways allege to take the .. The very punetoes sebective will be water