

RICHMOND, August 25.

TRIAL OF AARON BURR.

(Continued from adjournment, and held at the Capitol in the Hall of the House of Delegates) for HIGH TREASON against the United States.

[The Examination on Tuesday, Aug 15th, continued.]

Examination of Commodore THOMAS TRUXTON.

Mr. Hay. Were you present when the court delivered their opinion? A. I was. I know nothing of the overt act. Does your testimony relate to the taking of New Orleans? A. I know nothing about the taking of New Orleans. My conversation altogether related to the Spanish territories: to the settlement of land: to digging a canal on the Ohio, and building of boats.

Mr. Hay then observed, that he had no questions then at present for Commodore Truxton. Mr. Wigham. Then, sir, I hope I may be permitted to ask Com. T. 1st. whether he had not many and minute conversations with Col. B. and, 2ndly, whether those conversations related to treason. Mr. Wirt. The court knows that there are two indictments against the accused. The witnesses have been summoned promiscuously; and it is not possible for the prosecutor to know the particular points to which every witness is to testify. Commodore Truxton says that his evidence relates to the misdemeanor. But if he be suffered to come in on the present case, ought not his examination to be free and complete? Mr. Hay. Upon recollecting the substance of Commodore Truxton's testimony, I cannot but believe that it applies directly to the present occasion. It bears most strongly upon Gen. Eaton's testimony. Eaton says that the treasonable project and the misdemeanor were intimately connected. Of course what goes to establish the one of these projects, will so far contribute to prove the other. Had you not several conversations with the accused, upon the subject of the Mexican expedition?

Commodore Truxton. About the winter of 1805-6, Col. Burr returned from the western country, and came to Philadelphia. He frequently in conversation mentioned to me certain speculations in Western lands. These conversations were uninteresting to me; and I did not pay much attention to them. Colonel Burr observed that he wished to get the navy of the U. S. out of my head, as he had something in view, both honorable and profitable, which he wished to disclose to me. I considered this as nothing more than a desire to get me interested in land speculations. These conversations were occasionally repeated; and sometimes in the month of July, 1806, he stated that he wished to see me unwedded from the navy of the U. S. and to think no more of those men at Washington; that he wished to see or make me, (I do not recollect which) an admiral, as he contemplated an expedition into Mexico, in the event of a war with Spain, which he thought inevitable. He asked me if the Havana could not be easily taken in the event of a war. I told him that it would require the co-operation of a naval force. Mr. Burr observed, that might be obtained. He pursued the enquiry as to Cartagena and La Vera Cruz; what personal knowledge I had of those places, and what would be the best mode of attacking them by sea and land. I gave my opinion freely. Mr. Burr then asked me if I would take the command of a naval expedition. I asked him, if the Executive of the U. S. was privy to or concerned in the project. He answered me emphatically, that they were not. I asked him that question, because the executive had been charged with a knowledge of Miranda's expedition. I told Mr. Burr, that I should have nothing to do with it; that Miranda's project had been intimated to me, and that I had declined any agency in those affairs. Mr. Burr observed, that in the event of a war, he intended to establish an independent government in Mexico; that Wilkinson, the army, and many officers of the navy would join. I replied, that I could not see how any of the officers of the U. S. could join. He said that Gen. Wilkinson had projected the expedition, and he himself matured it; that many greater men than Wilkinson, were concerned (or would join;) and thousands to the westward.

Mr. Hay. Do you recollect, whether he said that Gen. W. had seriously joined in it? A. Yes, he said so; and many greater men.—Mr. Hay. I will ask you, sir, whether at that time, you were in the service of the U. S.? A. I was declared not to be. Mr. Hay. I wish not to wound your feelings, Commodore, by my question; but it is necessary to account to the jury, for the application which was then made to you by the accused. Did you not feel yourself hurt at this declaration? A. I certainly was.

Mr. Burr asked me if I would not write to Gen. Wilkinson, as he was about to send two couriers to him. I told

him that I had no subject to write on, and declined writing. Mr. Burr observed, that several officers would be pleased at being under my command. He spoke highly of a lieutenant Jones, and asked me whether he had not sailed with me. I answered him that he had not; and that I could give no account of him, as I never had seen him. Mr. Burr observed that the expedition could not fail; that the Mexicans were ripe for revolt; and that he was incapable of any thing chimerical, or that could lead his friends into a dilemma. He showed me the draft of a perjure, such as plies between Powles's Hook and New-York; and asked whether they were adapted to the Mississippi river and the waters emptying into it. I gave my opinion that they were. He asked me whether I could get a naval constructor to make several copies of the draft. I spoke to a naval constructor, but he could not make them as soon as they were wanted, and I returned the draft.

Mr. Burr told me, he wanted those boats for the conveyance of agricultural products to New Orleans, and in the events of a war, for transports. I knew they were not calculated for transports by sea, nor were they calculated for carrying guns, but having determined not to have any thing to do with the Mexican project, I said very little about the boats. But in the latter end of the month of July, I told him there would be no war with Spain. He seemed very sanguine, that there would. He said, however, if disappointed in that, that he was on a bargain for a large tract on the Onachita; that he intended to invite his friends about him to settle it; that in one year he would have 1800 families of fashion and some of property, who would constitute a charming society; that in two years there would be double the number; and that being on the frontier, he would be ready to march immediately, whenever a war took place. I have endeavored to narrate these several conversations verbatim as they passed; I am not positive however that they are; but my statements are at least the substance of what did pass.

Question by the prosecution.

Mr. Hay. Did these conversations take place after the declaration that you were no longer in the service of the U. S.? A. The whole of them—(Colonel Carrington, one of the jury. Did they take place in July? A. Yes. I observed to him that there would be no war, though I thought there was great cause for it.) Mr. Hay. Had you expressed your dissatisfaction at this procedure? A. Yes, frequently. Q. I believe that you made some publication on the subject? A. I did. Q. Your first conversations were about building bridges, settling lands, &c.? A. Yes; when Colonel Burr first returned from the westward. Mr. McKee. He did not express to you his designs respecting the Ouachita land, till he had discovered your aversion to the Mexican project? A. He had not spoken particularly about the Ouachita land, but previously about speculations in western lands generally. Mr. Wirt. Did he say at the latter end of July that he was about concluding a bargain for the Ouachita land? A. I think so. Mr. Hay. When he proposed to make you an admiral, did not the thought strike you; how he was to accomplish this? Mr. B denied that commodore T had said that Mr. Burr had promised to make him an admiral—Commodore Truxton. Mr. Burr told me he wished to make or see me one; I do not particularly recollect which was his expression. He said there was a formidable navy to be established. Mr. H. From what quarter of the world was the expedition by sea to go? A. I do not know. I did not ask him where it was to go from. Mr. H. Did you understand that you were to command the expedition by sea? A. Yes; but I declined and asked no questions particularly on the subject. Mr. Baker. I understand you to say that the navy was to have been erected, after the government was to be established? A. Yes. Mr. McKee. Did he not talk of a naval expedition against Havannah? A. I told Mr. Burr that Havannah could not be taken without a naval force. He said, that could be obtained.

Cross questioned.

Mr. Burr. Did I not say, I had never seen Lt. Jones? A. I do not recollect that. You spoke highly of him. Q. Do you not recollect I flattered, if there was a war, that private enterprise and private expeditions would be lawful? Mr. Hay objected to the question (because seemingly intended for the jury.) Q. Did I not often talk several years ago about naval concerns? Did I not say, that you were duped by the Smith's and others? That they had no serious intentions of serving you? Was not that the reason, that I wished to unweave you from the navy? A. You did state those facts. Q. Do you not find that I was right about your advance in the navy? A. I know that. Q. Did I not often talk to you about the settlement of lands? A. You did. Q. Were we not intimate? A. Yes. Q. Was there any reserve between us? A. None. Q. Did you ever hear me say anything about dismembering the union; or seizing on New Orleans? A. Never. Q. Did I not often express the pleasure I should feel from doing service to the common interests of this country; and of preferring a strong connection with my countrymen? A. You did. Q. Did I not say that the perjuries would be useful for the conveyance of agricultural products? A. Yes; and in war for transports. Q. Had you reason to doubt my intention to settle lands? A. If there was no war, I took for granted that such was your intention. Q. If there was a war, and Mexico was invaded, and the government favored it, would you not have joined me? A. I would have got out of my bed twice at night, to fight against Esp.

land, France and Spain, if my country had called. Mr. McKee Did he speak of any commercial speculations in which he was about to engage? or of any commercial establishments he was about to form? A. He spoke of the settlement of the Ouachita; and the bringing down of agricultural produce. Q. Were the remarks which he made on your relation to the navy, calculated to fill your bosom with resentment? A. My bosom was already full enough, but certainly Mr. Burr spoke in concert with my feelings. Mr. Hay. Could an expedition at sea be made as effectually against La Vera Cruz from any other port in the western world, as New Orleans? A. Certainly not. It would be a very proper place or from any place above the river. Larger vessels cannot get up to New Orleans; and small craft must take the expedition down. Mr. Parker, (one of the Jury.) Did you understand for what purpose the two couriers were sent by Col. B. to Gen. Wilkinson? A. I understood, that there was an understanding between them about the Mexican project. Mr. Burr. Are there not preparations now making in Philadelphia, in contemplation of a war with England? A. In New York there are. Mr. McKee. Are not the preparations going on openly? Has any commander been appointed independent of the government? A. No. Mr. B. says. Can ships be built secretly in a corner of a room? A. No.

(To be continued.)

NEW YORK, August 26.

By the ship Ann-Alexander, from London, we have completed our regular file of London papers to the 4th July, inclusive, and Lloyd's Lists to the 3d. Extracts from the latter will be found in our marine department. The former afford nothing new or interesting, if we except the following articles.

In the English House of Commons on Friday, July 23, Mr. Rose moved the order of the day for the house going into a committee on the American Trade Indemnity Bill. Some conversation took place between Mr. Eden, Mr. Rose, the Chancellor of the Exchequer, and Lord Howick, in which the Noble Lord suggested, that a provision should be introduced into the bill, authorising his majesty in council to suspend the American Trade Act, if the American Legislature should think fit to put in force the Non-importation act.

LONDON, July 3.

At the Court at the Queen's Palace, the 27th of May, 1807: Present, the King's Most Excellent Majesty in Council.

Whereas it is expedient, that the liberty of navigation and commerce between his majesty's subjects and the subjects of the United States of America, should, for the present, continue in the same manner, and under the same limitations, as specified in the act of the 37th of his present majesty's reign, entitled, "An act for carrying into execution the treaty of amity, commerce, and navigation, concluded between his majesty and the U. States of America, and in the act passed in the 46th year of his majesty's reign, for continuing the said act of the 37th year of his majesty's reign; his majesty, by and with the consent of his privy council, is hereby pleased to direct, that all the regulations contained in the said acts, shall be duly observed, until other provisions shall be made respecting the matters aforesaid; and the right hon. the lords commissioners of his majesty's treasury, and the lords commissioners of the admiralty, are to give the necessary directions herein, as to them may respectively appertain. (Signed) W. FAWCENNER.

The Russians have certainly retreated; but it is not stated, in any authentic shape, that the army has been broken. But, as long as Bennigsen can keep his army together—as long as, though repulsed, he is not dispersed—so long shall we continue to retain our hopes.

The retreat of the Russians after the Battle of Austerlitz, has taught us that a Russian army is not ruined by being defeated. Bennigsen has never fought better than when he has been driven into straight. The French drove him before them to Eylau: what then? why he turned upon his pursuers and avenged himself on them by a signal defeat. Why may not this occur again? Bennigsen has been repulsed; granted; but he has effected his retreat, without the dispersion of his army. He will continue to retreat, perhaps, till he finds another station like that of Eylau; when he will once again face his enemy, and perhaps retrieve the fortunes of the war.

A letter from Konigsberg, dated June 17th, was circulated upon the exchange in the afternoon of yesterday, which states in express terms, that the battle of the 14th was very different to what it has been described; that it was fought with great obstinacy on both sides; that only part of the Russian army had been engaged, and that they retreated, rather from a preconcerted plan, than as compelled to it by defeat. It is further added, in the same letter, that many French prisoners had been brought into Konigsberg, and that no serious apprehensions were entertained that the town would fall into the possession of the enemy.

The Russian corps de reserve is stated to exceed sixty thousand men. It may not, therefore, be improbable, that one of the objects of Bennigsen's retreat is to fall back upon his reserve. But, to confess the truth, all is obscurity and confusion, until the official account shall reach us. Mecklenburgh was ordered, after the battle of the 14th, to be treated as a neutral country.

In consequence of peremptory orders from government, the fleet of transports, with the troops which form the second division of the expedition got under weigh yesterday morning about nine o'clock, and sailed from the Downs, under convoy of the Mutine and Paulina sloops of war.

PHILADELPHIA, August 27. On Tuesday last, arrived at New York, the Ship Amable, Risler, of this port, and the Ship Ann, Alexander, both from London, by whom we received our files of papers, and only find the following worth extracting:—

LONDON, July 4. We sincerely deplore the dreadful calamity which has befallen our Allies, and annihilated every hope of checking the career of the enemy, by any means short of a Continental peace. We do not stop to notice the unprincipled civility of the Ministerial Journals, who are continuing to feed their readers with tales of a defeat of the French at the moment that accounts of this, we fear the last, overthrow of the Allies, have arrived.—But, let the people of England at length awake from their delusion; let those who rejoiced in the failure of the negotiation, look at the consequences which have followed from that disastrous event, and let no one be so thoughtless as now to expect that the independence of their crowns shall be fought for in Poland. Above all, we trust, not another English soldier will be sent abroad at this commencement of a new, we fear, a merely defensive war.

The forces of France are about to be concentrated once more against this country. The third coalition has indeed ruined Europe—we lament that it never was discussed in the great Council of the nation. Probably we should not have been exposed to the dangers which now threaten us, if our ignominious had been justified on its surviving authors. Probably the mere discussion by our representatives, of that calamitous policy which led to the subjugation of Austria, might have diffused better views of the real interests of England, in relation to the Continent, than are at the present moment very prevalent among our Statesmen. At any rate the incapacity of the persons who now rule us, would have been more thoroughly sifted, and the nation would have learnt against whom the game of public faith should for ever be shut.

What a dreadful prospect is now before us!—We are once more to cope single-handed with France, and not merely single-handed at the beginning of the contest, though that was reckoned enough to alarm us considerably in 1803; but deprived of every chance of a diversion in our favor unless the war shall endure until the continent can be renovated, and the power of our allies created anew. In 1803 there was a good chance that Austria, or Prussia, or Russia might attack France, should she attempt an invasion of England; there was a certainty of their doing so, should she fail in it. The fate of the Continent then, rendered it hazardous to invade England, and fatal to be defeated in the attempt. The present state of the Continent makes it perilous to try the invasion; and not even hazardous to fail. If Bonaparte in 1804 had been repulsed in a descent upon these kingdoms, he would have been undone, and England would have secured both her own and the independence of Europe. When he tries now, we trust we shall defeat him, but the utmost which we can hope to gain is present security; for he may fail in the autumn of 1807, and repeat the attempt in the following spring. There is no longer any Continent to take advantage of his discomfiture; he is playing a safe game; he can only lose what it is convenient to him to risk. We are, for the first time since England was a nation, playing a game of such odds, that if we win, we merely save our flake, if we lose, we part with our all.

FOREIGN NEWS.

We recollect some time back having seen in one of the newspapers of the United States, a paragraph stating that the Russians fought with great courage, and as an example, it was said that two regiments had maintained their ground until they were nearly or entirely cut to pieces under the walls of Dantzick. The writer of that article, we presume, was not aware of the compliment he was thereby paying the French troops; for surely, if those who were cut to pieces were brave, those who cut them to pieces could have been no cowards. The praise bestowed upon Bennigsen by the British prints for his conduct in the battle of Friedland, is pretty much of the same cast. "A Russian army (say those political macaronies) is not ruined by being defeated. Bennigsen has never fought better than when he has been driven into straight." One might almost be tempted to believe from such representations, that a Russian army is a kind of Hydra, which grows up as fast as it is cut down. We suspect, however, that the battle of Friedland was the Herculean stroke that severed the seventh head. We all know that the common mode of ruining an army is by defeating it in battle. But defeat agreeably to the London politicians, has no tendency to ruin the Russians; who, with Bennigsen at their head, we are told "fight better when they are driven into straight." Now, if a man were to say, in common parlance, that a boxer always fought best when his adversary had beaten him soundly and pinned him against a wall, that man we conceive would be impleaded by his hearers as an ignoramus in the science of boxing. Amidst all the consolation, however, which the English journalists can afford their readers, something now and then will eke out, even from the ministerial prints, which inevitably betrays their real opinions. Of this kind was an attempt to throw the odium of the Russian defeat at Friedland on Prince Dargathion, who, it has been asserted, took command of the army in the place of Bennigsen, a few days before the battle. This circumstance would never have been invented or hinted at as an apology for the disaster, had the British editors believed Bennigsen, their great favorite, had come off even tolerably well. The principal object of those editors is to soften down the poignancy of the public feeling, for the calamity which has befallen the coalition, at the first announcement of the news; and in pursuance of this object they tell of Bennigsen's falling

back upon his reserve; and that, like a certain fowl with spurs, he is only wheeling and retreating in order to face his enemy the better. "Bennigsen, (say they) has been repulsed—but, he has effected his retreat." This in plain English means nothing more than that the Russian commander has been beaten and run off. The running away, which is universally allowed to be a mark of cowardice or defeat, is the very thing which encourages the ministerial journals in London to hope for better fortune. The French will no doubt suffer the English government to enjoy all the comfort it can derive from the running away of its allies. But there are certain British prints which view the affair in quite a different light. These last do honor to themselves and to the cause of truth by their candor. They fear the last overthrow of the allies has arrived, and denouncing "the unprincipled levity of the ministerial journals, who are continuing to feed their readers with tales of the defeat of the French," they deplore the dreadful calamity of the battle of the 14th of June. They view, as they well may, the prospect before G. Britain as "dreadful," and endeavor to open the eyes of the nation to those disasters which await her. Amidst this gloom, the British ministry still persist in sending their troops to the continent of Europe. The second division has sailed; but probably with no other view than to keep up appearances; for what can they do in Pomerania after the discomfiture of their greatest and most efficient ally?

The proceedings in the British House of Commons on the American trade bill, is additional evidence of the interest which the commercial part of the English nation feels in the intercourse with America; and we find that our non-importation act is viewed there as a very imposing measure: As one of those measures, in fact, which strike at the vitals of a great maritime nation. The federalists may continue to sneer at it if they please as a weak measure; but if they do, they must sneer at the British parliament too; for the members of that body deem it of sufficient importance to guard against its effects by a special clause in the bill relative to trade with this country. We require no further proof of the good policy that dictated the measure. When the person at which you take aim begins to wrathe, you may be sure that your weapon is considered by him as dangerous.

A private letter has been received in this city (the information contained in which is corroborated by the accounts received from a French gentleman who came passenger in the Swedish ship Julia) which represents the affairs of Hayti in rather a different point of view than the article did that was published under our marine head yesterday. The letter states that Gen. Yajou, who is one of Gen. Petion's officers, did revolt with part of a regiment that was under his command, in consequence, as it is said, of Yajou's having received certain letters from Christophe; but that after a while he returned to Port-au-Prince and surrendered the troops to Petion with apparent marks of contrition. From late accounts that had been received at Aux Cayes, there were some hopes entertained of Christophe's being subdued; in which case it was expected a change would take place for the better. The confusion which was said to prevail in the island, was nothing but the assembling of conscripts to reinforce the army sent on to attack the Cap. Coffee at Aux-Cayes was from 12 to 15 sous.

The papers which we received from Richmond yesterday furnish nothing of particular importance in the trial of Burr, if we except the examination of the witnesses. We give commodore Truxton's evidence in to-day's paper. The arraignment of Blennerhassett has been put off. The arguments on Col. Burr's motion was proceeding at the date of the last advices. On Tuesday last, the Virginia Argus says, "Mr. Wirt continued the debate on the part of the United States, with one of the most eloquent and argumentative speeches that ever was delivered within the walls of the Capitol; which was concluded about half after 2 o'clock. He was followed by Mr. Bots on behalf of the prisoner."

Capt. Fisk, supercargo of the Laurel, [See Marine head] says that he was informed by the French consul at St. Jago, with the intention that he should publish it on his arrival here, that orders had been issued to the French privateers out of St. Jago, not to capture any American vessel bound to Jamaica, or any of the English ports. He observed that the French decree would not be put in force in the West Indian seas. As an evidence of the above, one of the men taken out of the Ambytel, says that the privateer he was in boarded a brig from Wilmington, N. C. bound to Jamaica, and dismissed her in consequence of the above orders.

The examination of Commodore Truxton before the Court at Richmond, will be found, if properly scrutinized, full of interesting matter. One prominent feature in Burr's manoeuvres can hardly escape the observation of any man. He always addressed himself to individuals whom he supposed to be discontented with the government. Eaton was presumed to cherish considerable rancor towards administration, and he was assailed by Burr in the most insidious manner. Truxton had been disgusted with regard to some arrangement relative to his rank in the navy, and the colpel attacked him; and so artful was the nominal emperor, so well did he know Truxton's vulnerable point, and how to touch the right string, that the commodore fairly confessed "Burr spoke in concert with his feelings." With what art, too, did he introduce the subject to Truxton. In the first instance he began on the topic of land speculations; then he touched upon the navy of the U. S. He wished to drive that out of the commodore's head, talked of something "both honorable and profitable" and wound up with a wish to "make the commodore an admiral." But although he wished to drive the navy of the U. S. out of Truxton's head, he meant to find him a navy of his own. Where that navy was to come from we are not told; but as Great Britain has always been famed for sympathizing with kings and emperors in distress, when it would suit her turn to serve them, there is some reason to suppose that emperor Burr was to have pro-