*[Conclusion of Mr. Wickham's remarks on the case of* PACE & CALLENDER.]

He again repeated that they were not now asked to punish them for the libels already published, but they were called on to consider them as evidence that the libels would be continued. And if a jury were to decide hereafter that they were not guilty, no injury would be done to them. Mr. Wickham said that notwithstanding all which had been said of the common law, the court of appeals had decided that the common law was the law of the land; and by that decision all inferior courts were bound. To that law we must resort for an explanation of the terms made use of in our statutes, and according to the principles of that law, the persons before the magistrates ought to be bound over to their good behaviour. Mr. W. said that the common law had been expressly adopted by a statute of this country; and that when not altered by an act of the assembly, it was unquestionably the law of the land.—He also said, that many of the British statutes, all of which had been repealed by the act of 1789 were re-enacted by our assembly in the same words; and that it was clearly understood in the court of appeals of this commonwealth, that the same words were used, in order that we might have the benefit of those expositions and adjudications concerning them which had been given by the judiciary of England.

After the arguments were over, the justices decided that Pace and Callender should give security for their good behaviour. Mr. Pace was bound in a recognizance to appear before the county court of Henrico on the first Monday in January, and in the mean time to be of good behaviour. Mr. Callender was either not willing or not able to find security, and he was therefore committed to gaol, there to continue until the 3d of January, when he is to appear before the court, where the question will be again agitated.

*[Conclusion of Mr. Latrobe's letter accompanying the message of the President on the subject of a Dry Dock.]*

2. The Tiber.

Captain Tingey and Mr. King, by your orders have measured and levelled the ground between the hill on the Tiber which belonged to the late Mr. Notley Young, and also between the spring known by the name of Stoddert's spring and the navy yard. I have proceeded in my calculations of the expense of bringing the water of the Tiber to the navy yard, upon their survey. The correctness and fidelity of Mr. King as a surveyor are well known and may always be depended upon. I have also carefully gone over the ground with a view to its quality and to the best line of conducting the water. Nothing can be more easily effected than the canals, the whole of the ground being remarkably easy to be dug. At the navy yard however no more than a head of twenty four feet above high water is wanted, while the head of water of Young's mill is forty-six feet seven inches, and the level of Stoddert's spring is thirty two feet three inches above high water. This difference of elevation while it offers the advantage of large reservoirs to contain a sufficient quantity of water to fill the docks rapidly, renders it necessary to construct works of some expense to hold up and discharge the water in such a manner that it shall not destroy the banks of the canal by its rapidity, and fill the docks with the earth and sand brought down by the stream. For this reason a dam weir and sluice at Young's mill must be built. The sluice to discharge the water from the reservoir in order to cleanse it, the weir to prevent injury to the works in time of heavy rains, and the dam to hold up a considerable body of water at all times. The works at Young's mill must be so constructed as to lower the water at once to the level of Stoddert's spring by means of a sluice which shall be capable of being so regulated as to keep a constant flow stream in the canal to prevent stagnation or to discharge into it the whole of the water necessary to keep the canal full, when the sluice which fills the dock shall be drawn. The reservoir on the Piney branch must be nearly on a level with Stoddert's spring, below which, on the most convenient place another weir and sluice must be erected to lower the water to the canal which supplies the dock. The last sluice must be at the dock itself, where no weir is required, as it will be constantly under inspection. The whole quantity of water required to fill the works at the dock is 3.515.200 cubic feet. If the quantity of water yielded by the Tiber and Stoddert's spring at the time of Captain Tingey's survey, (see his report) were not made to accumulate in reservoirs, it would require a month (29 days) to fill the dock and locks, allowing nothing for evaporation and soakage, for the joint streams yield only 125.088 cubic feet in twenty-four hours. But by collecting the water at Young's mill and in the reservoir on the Piney branch of Tiber, and by making the canal of large dimensions as proposed, namely, sixteen feet on the surface, six at the bottom, and three feet deep, the works may be completely filled in three days.

The expense of these works is annexed in estimate No. 2.

IV. *The time of completing the works.*

Should the works be undertaken immediately while the very numerous skilful and experienced workmen, who have been collected and in part educated in the execution of large and difficult works at the Pennsylvania bank and the works for supplying the city of Philadelphia with water, are within reach, I have not the smallest doubt that with the assistance of those collected in the city of Washington, and in a tolerably favorable season, a frigate may ascend the locks and be placed above high water mark before the end of the year 1803, and that the naval arsenal may be completed before the end of the year 1804. The supply by means of the Tiber, may probably be effected in the year 1803, but if not, the *locks* only may be filled in December 1803, by means of the pumps employed in their erection, in three days. The Potomac canal could not be completed before the end of the year 1805, but would by that time with tolerable seasons, discharge itself into the dock.

I need not mention to you sir, that the operations of the ensuing year depend in a great measure upon very active preparations before the first of March, by that time every good workman has usually planned and engaged in the employment of the season.

In respect to the estimates I must beg leave to remark, that as to the rate of charge for materials and workmanship, they are founded upon the experience of expense in works in Philadelphia, the nature of which is similar, and as far as they are designated and described in the drawings, I trust that no material difference will arise. There are however two points of expense upon which I must make an observation. The first is, the price to be paid for land, on which it is impossible to be at present informed, and in which it is easy to commit a mistake, the other is the uncertainty of the foundations below the bed of the harbor, for though there is no indication of a failure of solid foundation at the place at which the lower lock chamber is proposed to be founded, yet as the rest of the bed of the river is muddy, it is possible that mud may be found below the gravel in which case piling to the extent of perhaps 10,000 dollars may be necessary.

With these observations, I submit to you the result of my attention to your instructions, and hold myself in readiness to offer such additional information and explanations as you may please to command.

I am with true respect,
Your faithful humble servant,
(Signed) H. B. LATROBE.
*Washington, Dec. 4th,* 1802.


TIMBER
Wanted for cash on delivery.

The Directors for building a Bridge over the Eastern Branch, at the City of Washington, will contract for timber of the following kinds and scantlings, viz:

| | | | |
|---|---|---|---|
| 20 pieces white oak | 34 ft long to be | 14 in. by | 14 |
| 200 do | 42 | 8 by | 10 |
| 400 do | 22 | 8 by | 10 |
| 80 piles do | 18 | 14 | 14 |
| 20 do do | 20 | 14 | 14 |
| 20 do do | 30 | 15 | 15 |
| 32 do do | 28 | 14 | 14 |
| 40 do do | 18 | 14 | 14 |
| 60 do do | 40 | 15 | 15 |
| 36 do do | 26 | 14 | 14 |
| 40 pies. white or blk. oak | 38 | 12 | 12 |
| 80 do do | 24 | 12 | 13 |
| 80 do do | 12 | 12 | 13 |
| 480 pcs. w. oak | 10 | 5 | 7 |
| 480 do do | 12 | 5 | 7 |

The piles will be required square only 15 feet from the butts, and may taper to 10 inches square at the small end.

The timber must be cut before the first of March, and delivered in April. Proposals for contracts will be received until the 25th day of January next.

by WM. BRENT, Secry.
Dec. 29. ept25J.

IMPORTANT DISCOVERY
*Of extracting pure, wholesome, and fresh water from the salt water of the Ocean, by means of evaporation and condensation—*

WITH a new and useful improvement in the caboose of a vessel for working said machine without any additional expence for fuel, and supplies at sea a sufficiency of fresh water for the ship's use. Invented by SIMEON ROUSE, and by him assigned to JOHN LAMB, who has obtained a PATENT from the United States, signed by the President the first day of January 1803.

Many gentlemen have examined the drawing and description of the said machine, and are firmly of opinion that it is of the utmost importance, and will be highly beneficial to all nations forever hereafter. It is understood the Patentee will shortly procure the machine (complete) on board one of our National ships (or some other) for satisfactory experiment, when the terms of Vending will be made known and published in the several sea ports in the United States.

The Inventor and Patentee are citizens of the state of New York.

Printers (friendly to the public good) will publish the above if they please.

Jan. 6. 6t.


WASHINGTON, 10th Jan. 1803.
*Mr. Samuel H. Smith,*

SIR,

Having read in your paper of the 5th instant a most erroneous statement of the rencontre which happened at Piscataway on the 28th of December last between Mr. Rutledge and Mr. Ellery—I requested the persons present on this occasion to furnish me a circumstantial account of that transaction, and have received the enclosed affidavits which I request you to publish in your next paper.

I am, Sir,
Your most obedient servant,
L. R. MORRIS.

I Joseph M. Simmes of the town of Piscataway, in Prince George county, state of Maryland, do make oath on the Holy Evangelists of Almighty God, That on Tuesday the twenty-eighth day of December last, John Rutledge and Lewis R. Morris, Esquires, came to my house on their return from Charles county, about nine o'clock in the forenoon, and that Mr. Ellery, Senator of the United States, arrived in the Port Tobacco stage about half an hour after them.—That when Mr. Ellery alighted from the stage, and had advanced a few paces towards the house he stoped, and that I perceiving his embarrassment (Mr. Rutledge being then in view of him) desired him to walk in;—that Mr. Ellery proceeded, entered my house, and walked hastily through the front room towards the room occupied by my family, in the back part of the house; that I followed him and asked him what he wanted, and he replied a glass of Geneva. I then took him to the bar, gave him a glass of gin; considerable part of which, from apparent trepidation, he spilled in geting it to his mouth. Mr. Ellery then informed me that he wanted a private room, and desired to have his breakfast alone. I replied, he should be gratified, and conducted him to a room in which there were no other persons, and locked the door opening immediately into the room in which Mr. Rutledge was. About a quarter of an hour after he got in to his room, Mr. Ellery asked me for paper and ink, and wrote a letter, which I think he addressed to Mr. Newman of Charles county. As soon as his breakfast was prepared I put it on his table, and he began to eat it, he then informed me that I might retire if I had other business to do. I went out of the room and met Mr. Rutledge in the hall, who desired me to get the canvass backs which I promised to procure for him. In a few minutes after, I heard the noise of blows and the cries of Mr. Ellery for protection. I immediately entered the room, found Mr. Rutledge and Mr. Ellery engaged and parted them. Mr. Rutledge then gave Mr. Ellery a blow with his cane upon the head. Mr. Ellery seized him and pushed him up to the wall of the room. Mr. Ellery called again for protection, said the capitol was attacked, and he was a Senator of the United States, and he claimed protection of the United States—he claimed protection of the state of Maryland—he claimed protection of the landlord. A gentleman (I believe from Baltimore) then entered the room with General Morris, and immediately after them Mr. Clagget came in. While the parties were thus engaged, Mr. Rutledge caught Mr. Ellery's nose and said, see gentlemen, I pull the rascal's nose. Mr. Ellery turned his head, and Mr. Rutledge caught him by the ear and said, gentlemen observe, I pull the scoundrel's ears. Mr. Ellery then applied to General Morris to assist in disengaging him from Mr. Rutledge. General Morris replied, that he was not concerned in the business, and you must fight your own battles. I then applied to Mr. Clagget to assist me in parting them, and Mr. Clagget and myself seperated them. Mr. Rutledge then turned from Mr. Ellery and said, he was a damned rascal and left the room. Mr. Ellery then observed to General Morris, he thought it very hard to be assassinated alone. General Morris replied to Mr. Ellery, that he had no cause to complain—that he had warned him that Mr. Rutledge was determined to have satisfaction. Mr. Ellery then went into Mrs. Simme's room, where he finished his breakfast, and remained until Mr. Rutledge and General Morris left the house. Mr. Ellery then asked me if I knew any person whom he could hire to go with him to Washington, and I answered I did not; he then applied to me to go with him, and received for answer that I did not think I could, as I was unwell; but I at length, after being much pressed by him, consented to attend him, he then desired me to arm myself with some weapon of defence, and I replied that it was unnecessary, as I had heard Mr. Rutledge say he was satisfied, he had given the rascal what he deserved. I then got into the stage with Mr. Ellery—on our passage to Washington he tore to pieces the letter he had written in my house, and said it had been well for him that he was so strong; to which I answered, that it might be so, but that I could not perceive what advantage his strength had been to him as he made no resistance, that had I been in his situation with such superior strength, I would have beaten my adversary, and asked him why he did not fight? But to that question I could get no answer. Frequently on our passage we came in sight of a carriage, and as often as we did, Mr. Ellery gave orders to the stage to drive slower, for that he did not wish to come up with it, least he should have a second engagement. When we arrived at the middle ferry, we saw Mr. Rutledge's carriage at the upper ferry just boarding the boat, and Mr. Ellery observed, that he did not wish to cross until Mr. Rutledge's boat had got to the opposite shore. After Mr. Rutledge's boat had landed, and his carriage was out of sight, we crossed the Eastern Branch, and drove to Tunicliff's tavern, and landed Mr. Ellery and his baggage.

Sworn to the eighth day of January, eighteen hundred and three, before the subscriber, one of the justices of the peace, for Prince George's county.

Wm. MARSHALL.

(COPY.)

I Nathaniel Clagett of the town of Piscataway in Prince George County State of Maryland, do make oath, that about nine o'clock in the forenoon of Tuesday the twenty eighth day of December last, I was sitting in the portico of the house of Joseph M. Simmes of Piscatway, aforesaid, when the Mail Stage drove up, and saw Mr. Ellery get out of it and pass through the public room to the back apartment of the house—I soon after discovered Mr. Ellery writing in a room adjoining that in which Mr. Rutledge and General Morris were to breakfast—I continued to sit in the portico until I heard a noise in the room in which Mr. Ellery was at breakfast, and in a few minutes I passed through the public room into Mr. Ellery. When I got into Mr. Ellery's room I found him and Mr. Rutledge engaged—Mr. Ellery had Mr. Rutledge by the hair against the wall, and Mr. Ellery was calling for protection from the Landlord, and in this situation of the parties I heard Mr. Rutledge say, see Gentlemen I pull the rascal's nose—I then at the request of Mr. Simmes the Innkeeper assisted him to part them, took Mr. Rutledge by the arm and begged him not again to strike Mr. Ellery, Mr. Rutledge said he would not and they were parted—Mr. Rutledge then said to Mr. Ellery you are a damned rascal and left the room.

Sworn to the eighth day of January eighteen hundred and three, before the Subscriber one of the justices of the peace for Prince Georges County.

Wm. MARSHALL.


MARIE ANNE PIC,

RESPECTFULLY informs her customers that she has received a fresh assortment of elegant muffs and tippets, which she can sell very low. Crapes of all colors, white satin for dresses, peelings of all colors, velvet ditto. And a most elegant assortment of artificial flowers consisting of half wreath, more gay and diadems, bandeau and ornaments with gold and silver beads, great coats, velvet bonnets and hats, wigs, macarons, and gentlemen's fur gloves, with all sorts of perfumes.

The whole will be disposed of at very reasonable prices for ready cash.

Dec. 29 4t.

FOR SALE,
*Or would be exchanged for a woman house servant that does not breed,*
*A likely* NEGRO WOMAN & CHILD—

THE Child a boy two years old, the mother has been chiefly used to house service, and is an excellent washerwoman. The present owner has no reason for parting with her except her breeding, which is inconvenient in a family.—Enquire of the Printer.

Nov. 29. tf.

TO LET,
*And be entered upon immediately, three well finished* BRICK HOUSES,

NEARLY opposite Morin's Tavern, on Twelfth street very near Pennsylvania Avenue, built for the WASHINGTON BUILDING COMPANY.

The Houses will be rented on very reasonable terms.

Apply to THOMAS CARPENTER near the President's Square. eptf

Dec. 1st.

Members of Congress, Travellers, and those gentlemen whose business call them to the City of Washington, are respectfully informed that the subscriber has established the

*UNION TAVERN & WASHINGTON HOTEL,*

*On Pennsylvania Avenue, first house east of the President's, and one mile from the Capitol.*

THERE is a pavement all the way, and the accommodations are equal to any in the United States, having thirty rooms fitted up in an elegant manner. Also, a large Coffee Room, 54 feet by 22—and a room over the same, now finishing, convenient for the reception of any public meeting, with a pleasant view of the Potomac and the surrounding country. All the principal newspapers in the Union are taken and regularly filed.

WILLIAM LOVELL.

N. B.—To Let, a coach and single horse CHAIR.

Nov. 26. 3m.

Wanted to Hire,
*During the Session of Congress,*
A GOOD COOK,
To whom liberal wages will be given—Enquire of the Printer.

Jan. 12. 3t.


## National Intelligencer.

### *Congress of the United States.*

*HOUSE OF REPRESENTATIVES.*

MONDAY, January 10, 1803.

Mr. Van Ness presented a representation from Samuel Blodget on the subject of a National University; as follows:

The memorial of Samuel Blodget late supervisor of the City of Washington represents, That owing his appointment chiefly to his zeal in forming several probationary plans for a National University, he conceived it an indispensible duty after the death of Washington to follow the commanding advice and noble example of the common father of his country, so irresistably pourtrayed in his farewell address, and in the clause of his Will annext to his liberal donation therefor. In thus calling, most respectfully, the attention of your honorable body to this part of the Will of Washington, he fulfills a promise made in behalf of more than one thousand subscribers to the same object, whose respectable names accompany this memorial, with a request that a committee may be appointed to consider what portion of the public lots and of lands in the Western Territory of the United States, shall be appropriated by Congress to this important institution in addition to the contents of either of the sites already contemplated therefor within the City of Washington by Washington himself, and by the commissioners thereof. And, further to consider the expediency (should it comport with the monumental plan to be adopted) of erecting the statue of 1783, or in lieu thereof—an appropriate and characteristic equestrian statue of the original founder of the National University, as a beautiful centre piece for the intire plan, to be surrounded by Halls and Colleges as they may be built in succession, by the fund to which the whole people of America are now so liberally and so honorably contributing by voluntary subscriptions, from Maine to Georgia inclusive;—thus virtually following an ancient custom of the original Americans, who men women and children all carried a stone to the monumental pile of a beloved chief.

It is humbly conceived that no further aid will be necessary for your honorable body to give till in your wisdom it may be deemed proper to follow the sublime and prophetic advice of Washington, and to assume the intire direction of the most important object ever contemplated in the united efforts of all parties, persuasions and classes of the American people, under a firm belief that provided the governmental plan, and synopsis thereof be maturely considered and wisely adapted to promote the views of the sage and provident Washington, namely, "To do away local attachments and state prejudices as far as the nature of things would or indeed ought to admit from our national councils," and in short to promote a true amor patriæ as well as the advancement of new arts and universal science in all useful knowledge, while "our youth by associating with each other for these purposes, and forming friendships in their juvenile years will free themselves from those narrow local prejudices which, when carried to excess, are never failing sources of disquiet to the public mind, and pregnant of the most mischievous consequences to this country."

Such are the principles under which this sublime institution, founded by Washington, and indubitably the best monument to his eternal fame, is now rapidly progressing to the immortal honor of the American name, nor does it require uncommon inspiration to foretell, that as long as it shall continue true, that parents are naturally attached to the most amiable of their offspring, so long will the founders throughout the Union, themselves and their posterity, delight to preserve a noble fabrick which in itself will unite the most sublime points that can with reason interest a generous, industrious, and an enlightened people, and equally endear them to their country and to each other. And so long as the divine principles that gave birth and strength to the infancy of the university may continue, so long, by turning the tide of emigration in search of learning shall the American character be the pride and boast of the liberal and learned of all nations, and the dread of every foe to human excellence.

A synopsis for the university uniting with it a plan for a free college, adapting and combining therewith the interests of the existing seminaries throughout the union, accompany this memorial, together with a description, or duplicates of several monumental plans which will remain before the present committee of subscribers till Congress may think proper to assume the entire direction of this object in conformity with the ardent wishes and ernest advice so irresistably enforced by Washington.

The memorial was accompanied by a plan of the Equestrian statue of Washington surrounded by halls and colleges regularly arranged, the whole to be stiled the Monument to Washington.