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TRIAL of JOHN PICKERING.

[*Concluded.*]

SATURDAY, March 10.

Mr. White submitted the following motion:

Resolved, That the Court is not at present prepared to give their final decision upon the articles of impeachment, preferred by the House of Representatives, against John Pickering district judge for the district of New Hampshire, for high crimes and misdemeanors, the said John Pickering not having appeared, or been heard by himself or counsel, and it being suggested to the court by Jacob S. Pickering, son of the said John Pickering, that the said John Pickering, at the time of the conduct charged against him, in the said articles of impeachment, as high crimes and misdemeanors, was, and yet is insane, which suggestion has been supported by the testimony of two members of the court, and by the affidavits of sundry persons, whose integrity and veracity is unimpeached. And it being further suggested in the said petition, that at such future day as the Court may appoint, the body of the said John Pickering, shall be produced in Court, and further testimony, in his behalf, which would enable the Court to judge for themselves as to the insanity of the said John Pickering, and to act more understandingly in the premises, but that the said John Pickering, owing to bodily infirmity could not be brought to court at present, at so great a distance, and at this inclement season of the year, without imminent hazard of his life.

It passed in the negative, { Yeas 9. Nays 19.

Those who voted in the affirmative, are,

Messrs. Adams, Dayton, Hillhouse, Olcott, Pickering, Plumer, Tracy, Wells. White—9.

Those who voted in the negative, are,

Messrs.—Anderson, Armstrong, Baldwin, Breckenridge, Cocke, Ellery, Franklin, Jackson, Logan, Maclay, Nicholas, Potter, I. Smith, J. Smith, (Ohio) S. Smith, Sumter, Venable, Worthington, Wright.—19.

The following resolution, offered by Nicholson, on the preceding day, was then agreed to:

Resolved. That the secretary do acquaint the House of Representatives, that the court of Impeachments will on Monday next at 12 o'clock, proceed to pronounce judgment on the articles of impeachment exhibited by them against John Pickering.

On agreeing to the above resolution the Yeas and Nays were as follow:

YEAS—Messrs. Anderson, Armstrong, Breckenridge, Baldwin, Cocke, Ellery, Franklin, Jackson, Logan, Maclay, Nicholas, Potter, I. Smith, J. Smith of Ohio, S. Smith, Sumpter Venable, Worthington, Wright—19.

NAYS.—Messrs. Adams, Dayton, Hillhouse, Olcott, Pickering, Plumer, J. Smith of N. Y. Tracy, Wells, White. 10.

MONDAY, March 12.

Mr. White submitted the following as the question to be put to each member upon each article of impeachment, viz.

Is John Pickering, district judge of the district of New Hampshire, guilty of high crimes and misdemeanors upon the charges contained in the article of impeachment, or not guilty?

This motion being negatived—Ayes 10—Nays 18—

Mr. Anderson moved the following form:

Is John Pickering, district judge of the district of New Hampshire, guilty, as charged in the article of impeachment, exhibited against him by the House of Representatives.

This motion was agreed to Yeas 18—Nays 9—as follows:

YEAS—Messrs Anderson, Baldwin, Breckenridge, Cocke, Ellery, Franklin, Jackson, Logan, Maclay, Nicholas, Potter, I. Smith, J. Smith of Ohio, J. Smith of N. Y. Sumpter, Venable, Worthington and Wright. 18.

NAYS—Messrs. Adams, Dayton, Hillhouse, Olcott, Pickering, Plumer, Tracy, Wells, White—9.

Agreeable to notice given to the House of Representatives, on Saturday, that the court of Impeachments would this day, at 12 o'clock, proceed to pronounce judgement on the articles of Impeachment, exhibited by them, against John Pickering, the Managers attended; and the first article was read.

And on the question—Is John Pickering, district Judge of New-Hampshire, guilty as charged in the first article of Impeachment, exhibited against him by the House of Representatives?

It was determined in the affirmative. Yeas 19—Nays 7. as follows:

YEAS.—Messrs. Anderson, Baldwin, Breckenridge, Cocke, Ellery, Franklin, Jackson, Logan, Maclay, Nicholas, Potter, I. Smith, S. Smith, J. Smith, Ohio J. Smith, N. Y. Sumter, Venable, Worthington, Wright—19.

NAYS—Messrs. Adams, Hillhouse, Olcott, Pickering, Plumer, Tracy, Wells—7.

The same question was put, in the same way, upon the three remaining articles, and decided by a like result.

On the question, is the Court of opinion that John Pickering be removed from the office of judge of the District Court of the district of New-Hampshire? It was determined in the affirmative—Yeas 20; Nays 6; as follows:

YEAS.—Messrs. Anderson, Baldwin, Breckenridge, Cocke, Ellery, Franklin, Jaskson, Logan, Maclay, Nicholas, Potter, I. Smith, S. Smith, J. Smith, Ohio, J. Smith, N. Y. Sumter. Venable, Wells, Worthington, Wright.—20.

NAYS.—Messrs. Adams, Hillhouse, Olcott, Pickering, Plumer, Tracy.—6.

The court then adjourned *sine die*.

Early in the trial a question being raised as to the propriety of Senators who were during the last session members of the House of Representatives, and voted upon the question for impeaching judge Pickering, sitting and voting as judges upon the trial: the Senate decided that they were not thereby disqualified from sitting on the trial.

TO RENT,

And immediate Possession given,

A Two-story Frame House, in the City of Washington, situated on N. F street, square 224—containing 4 rooms beside two garret rooms, piaza and pantry, kitchen, store room, &c. with a good garden—lately occupied by Mrs. Lee, adjoining to Mr. Xaupie's store—Also that convenient two-story frame on same square, late in possession of Dr. Tabs, opposite to which Robert Peacock, Esq. lately resided—consisting of 6 rooms, and two garret rooms, piaza and balcony to south front, cellar with dry well, kitchen, carriage house, stable, an excellent garden, with every convenience fit for the reception of a genteel family. For particulars enquire at Mr. Rhode's tavern, Mr. Xaupie's store, or to the subscriber

REDMUND PURCEL.

January 13, 1804—tf

PUBLIC SALE.

BY virtue of a decree of the Circuit court of the district of Columbia for the county of Washington in the suit of Thomas Law against James Piercy, jun. James Ray, Samuel Treat, and James Piercy, sen. defendants, in Chancery, will be sold at the premises to the highest bidder at public auction on Saturday the 5th day of May next, the lot of ground mentioned in the complainant's bill, situate in the city of Washington, and known and distinguished in the general plan of the said city by lot numbered one, in square numbered seven hundred and forty-four, it being the south half part of said square and containing sixty-three thousand four hundred and forty square feet of ground, with the Sugar House, and all the other buildings and improvements thereon or thereunto belonging. The sugar house is large and extensive and is said to be extremely well calculated for sugar refining—the other buildings consist of several wooden houses sufficient with some repairs for those conducting the business to live in. The sale will commence at 11 o'clock A. M. The terms ready money or money to be paid immediately on the courts ratifying the same, the time of which ratification will be notified in the same papers in which the sale is advertised, within one month after the report of the said sale shall be made to the court, which report will not be made until the fourth Monday in July, when the court commence their next sitting for the county of Washington.

DANIEL C. BRENT, Trustee.

March 23—tdos

WASHINGTON ASSOCIATION

The office of the Washington Association and United States Insurance Company is removed to the corner of square No. 226 fronting on the President's square and Pennsylvania Avenue.

THOMAS HERTY, sec'ry P. T.

Jan. 18—tf.

THOMAS M'EUEN, THOMAS HALE & WILLIAM DAVIDSON, who heretofore, have transacted business under the firm of *Thomas M'Euen & Co.* will in future use that of M'EUEN, HALE & DAVIDSON.

Philadelphia, Feb. 1—tw&uotf

Baltimore.

We are indebted to the politeness of captain Fisk, who arrived here on Monday last from St. Marks, for the copy of which the following is a translation.

TRANSLATED FOR THE AMERICAN.

To my fellow-citizens,

The momentous event which again takes place in our country, (so subject to vicissitudes) is of such a nature, as will particularly attract the attention of the Old Continent. In its folds our future destinies are involved; and it demands our most vigilant attention, to preserve to posterity, the attitude which the oppression of the white French has compelled us to assume, by repelling every encroachment to tyranny.

Self-preservation, a desire coeval with existence—Resistance of oppression, our first duty; our most natural right, have placed arms in our hands; and thanks to the Almighty, who willeth not the destruction of the innocent, our oppressors have dispersed before our native phalanxes, as the impure mists of the morning before the rays of the sun.

Never, indeed, did a cause more laudable, more sacred, inspire Heroism: nor an enemy ever more dastardly, more perfidious, or more blood thirsty appear than the French. Me thinks I see their first arrival on our coasts—and who doubts not but the enthusiasm of liberty, emanating from their breasts, would pervade our most distant shores, the only palliative they could offer for the abominations with which they have defaced the face of Europe. This nation, without doubt, ancient and experienced, and denominating itself refined, will inevitably hold forth to our infant people, the example of their virtues, of their generosity and moderation. But oh, stain to manhood, to humanity! At first insinuating and designing, their snares are laid with art, and the way that leads to destruction, to death, and in which they flattered themselves to ensnare our credulous simplicity, is strewed with flowers.

Now, insolent and vain, they assume the rod of dominion, and contend for the property of our persons. But familiarized with crime and skilful in its perpetration, their first attempt is directed against those heroes, who, proud of their independence, and spurning with indignation the proffered gold of the Spaniards and of the English, sprinkled with their blood the tri-coloured standard of liberty—and now, when clotted with the blood of their countrymen, and dripping with its dearest gore, they meditate an universal carnage, an other St. Bartholomews. The earth now opens with regret, to receive in her lacerated bosom, the children she had borne, that she had so proudly nurtured, and whom, but a few hours before, she had beheld in all the pride of manhood; while, in the holds of certain vessels, prepared with diabolical art, our trembling virgins, our children, smiling on the breasts of their distressed mothers, our wives, our matrons, are stifled with the fumes of sulphur. Behold, as yet, our shores are daily covered with the the bodies which the ocean itself, delivering up disdains to conceal. Even now if respecting neither age nor sex, had they at once terminated an existence they judged incompatible with their views! But no! Torments alone can glut them. Those who, by an unjust transportation, have seen themselves torn from their tenderest, their dearest connexions, condemned to most bitter slavery, eke out a miserable existence. Some of these, under the ignominious badge of galley slaves, chained to the oar, are carelessly invoking death to put an end at once, to their misery and shame: Others under the impending scourge of a pitiless and vigilant task-master, are daily exhausting the small remains of vigour left them by the battles of their country: Others banished to Ajaccio, in the miseries of oppression, can find consolation only in their virtue, and from the pleasing testimony of a well spent life: Others again basely sold by the orders of a government, boasting of its liberty, from the bottom of mines, are condemned to explore—vainly left their supplicating hands, enfeebled and debased by servitude, to a country, which, alas! They must never see again: Others, in fine, miraculously snatched from these evils, and scattered over the various parts of the globe, display to the eye of indifference, their miseries and their woes; leaving to a God of retribution, the care of their vengeance, and the means of returning to, their native soil.

What then is our crime? Of what have we been guilty, to entail upon us so general a proscription? Shall the name of African—shall, to be sprung from an African, be a perpetual stigma, the mark of indelible opprobrium?—Shall the colour of our visage, be alone the seal of eternal reprobation? Does the black or yellow stain, that you see on our foreheads, put a stop to the progress of arts, to virtue, to courage?—Has it prevented our rising superior to those, who, because we are black, think us their inferiors? Henceforth let this ideal, this unworthy privilege be obliterated. The Almighty, when he peopled the world, said to no one race or set of men, *destroy you that*. The French look down upon us—they are our superiors—they are whites, we are negroes; but let us shew them, we are superior to them in courage, in greatness of soul, but above all, in attachment to our country. Let their country, a slave this day to a foreign, unjust and ambitious master, learn from a people of savages, the secret to be free!—We are deemed unworthy of their equality; be it so—let the decree fall upon their own heads. We, in our turn, proscribe this perfidious, this traiterous enemy: In our turn, let us thunder against it our anathemas. The French think us fit only to live in woods—be it so.——Sons of the desart, children of misfortune, why do we delay! Let us take up our residence in our inaccessible retreats; it is there we shall be invincible. Oh, 'tis there, where the Tutelar Deity of Hayti calls to him, his beloved children. At a resolution so generous the cerements of our brethren, the bones of the martyrs to our liberty reanimate. There our arsenals, our arms, our provisions, our resources, our families will be immediately under the protection of nature, & of God. Let our towns, if a while, for any momentary advantage, they be suffered to exist, be sacrificed at the moment of invasion. Let the standard, which we have consecrated, the only one we ought ever to have raised, be the strong, the indissoluble chain, around which a nation of brethren are ever ready to unite. In this position, placed by necessity, the most imperious of laws. Woe, to the unfortunate, who should attempt to disturb the union and harmony which should reign amongst us.—Let him, like the parasitical and venomous vine, be extirpated from society. Far, far from hence, that spirit of discord and division, which, by slow yet sure degrees, undermines the best consolidated states.

Freed from the shackles of our ancient nature, and thrown into this new career of being, let us not for a moment forget, that in the discomfiture of enemies, we have drowned, in their blood, every sentiment of hatred and of discord; but above all, faithful to the laws of discipline and subordination—let us live and die under the command of the precious and intrepid chief, whom Heaven has appointed over us.

There is a virtue the source of happiness and prosperity to states, that we should scrupulously revere. It is good faith in our treaties, the religious observance of our promises, and fidelity in fulfilling our engagements with the stranger. Little ambitious of intermingling in the affairs of neighbouring powers; let us here swear never to molest them in their possessions, but to confine ourselves alone to the preservation of our own.——Then shall the Island of Hayti, after seeing its bowels torn out by its children, after having been consumed by its own ruins, like the Phoenix, again rise from its ashes, more beautiful and resplendant than ever.

Long live the Independence of Hayti!

Long live the Governor General!

CHANLATTE, fils.

REPLY OF THE COMMISSARY COLBERT, TO GENERAL ROCHAMBEAU,

UPON THE QUESTON,

"What is the Present Situation of Port-au-Prince."

HOW easy it is to fulfil the task which you have imposed upon me!

You call for particulars respecting our situation; you believe that it is time, once more, to remedy the evils which oppressed us, and you are ignorant that our distress is increasing while I write; you are ignorant that the only effectual remedy to lighten the weight of our evils, is in the overthrow of this very organization which gives you the supreme power. The government alone, the public functionaries, and above all, the generals charged with the defence of certain parts of the colony, ought to be considered as the prime-movers of the afflicting events which insure our distruction. The interest which you seem to take in our situation, & the desire which you manifest to apply to it some alleviation, ought to revive my hope and become my vouchers for the zeal which you will display in repairing your own faults and those of your predecessors, who have been guilty of atrocities which I cannot repeat without violating the delicacy which I wish to observe towards you, and without recalling to my memory some dreadful recollections. But a multitude of examples, as unhappy as they are incontestible, convince me that the language of truth and of violated humanity will be grating to your ear, accustomed to the incense which certain vile courtiers lavish upon you, and far from flattering myself with a speedy melioration of our condition, in giving you any details respecting our situation, I fulfil a duty which my place, as governor (*administrateur*) renders sacred to me. You will find, from this, the real situation of the magazines of this place, which are as destitute of provisions as the overseers employed for the purpose, are of the necessary talents and probity. I have taken care to distinguish the consumption authorised by our necessities, from that usurped by the commanding generals, the heads of the administration, and above all, the commandant of the place, who combine together to drain our resources, for the gratification of their sensuality and prodigality.

You will easily judge of the provisions which remain to us, of their duration, and of the future fate which awaits us, unless we make the most vigorous efforts to relieve ourselves. I could fill pages, and still you would know but a very small part of the dilapidations and the open and unheard of robberies which the principal representatives of the government commit with impunity.

Recollect the sums of money, the provisions and commodities which you unjustly placed at your own disposal at the time you left this city; deduct from the remainder the necessary expences and the infamous robberies, the urgent consumption and the enormous dilapidations which have already been made, and it will be easy for you to calculate how we exist.

The sending of flour and provisions might, it is true, prolong our *vegetation*, and enable us to hold out for some time longer; but as to rendering us happy! Oh, how vain the project! Reforms and changes must be made in proportion to the abuses which have hitherto existed. I do not speak of those who would particularly require your care and management, but I aim at your representatives.

The generals Saraazin and Lavalette, who command this division, do not possess the qualities requisite to merit, from the inhabitants and others, that confidence which you have lost since your promotion. Selfishness the most cruel, and avarice the most sordid, are the only objects which attract their attention. Impositions as numerous as unjust, requisitions without number, are not sufficient to satiate their unbridled passions, which no sooner expire in the arms of wealth and voluptuousness, than they again rise to life and vigor: but the most sacred rights of humanity are trampled under foot, by depriving the inhabitants of fruits and other nourishment which they search out and collect at the utmost hazard. Many die of hunger, while the generals are lavish of the most delicious dishes.

Union, and the most perfect harmony between the inhabitant and the soldier, are the only means of braving the dangers which threaten us, and of overcoming enemies so formidable as those which divide us within and assault us without. Every step of the generals has tended only to disunite the two parties, to oppress the inhabitant, and to excite the discontent of the soldier, at a moment when death and desertion are greatly reducing our forces; vessels are daily dispatched, and passports are written and delivered for the departure of the inhabitants and public officers; but instead of removing the women and children, and infirm men, destitute of the means of subsistence, these privileges are granted to individuals who offer sums of money proportionate to their estates. These large sums are destined to secure the same opportunities to the generals in a moment of danger, which so far from dreading, they actually invite; and the officers and soldiers, the officers of health, and those employed in the administration, are groaning in poverty, and dragging out their existence in the most dreadful misery. Of all the public officers, the commander of the place *Panisse*, is the man who pursues