a friendly intercourse with France. H. majesty's sole wish is that peace may revive in Europe, that no person may assume any authority whatsoever over any other state; and that the French government do acknowledge an equality of rights for inferior states, but who are not less independent than France. Russia, it cannot be too often repeated, entertains not the least inclination for war, nor can she be benefitted by it; her conduct will alone be influenced by the pressure of circumstances. She may, however justly presume, that the French administration entertains such an opinion of the Russian government, as to be convinced that the latter will not remain an idle or indifferent spectator of any new encroachments.

"His majesty the emperor of Russia is not himself influenced by fear, nor does he wish to direct its operations to the minds of others. It is his desire to preserve his former relations with France, but upon no other ground than that of perfect tranquility. The first condition is that the terms mutually agreed upon shal be sacredly fulfilled, and on this condition only can the two states, after what has happened, enjoy their former relations of good will and amity.

"The undersigned has been ordered to declare, that he cannot prolong his stay at Paris, unless the following demands are previously granted.

"1. That conformably to the 4th and 5th articles of the secret convention of the 11th of October, 1801, the French government shall order its troops to evacuate the kingdom of Naples; and when that is done, that it shall engage to respect the neutrality of that kingdom during the present and any future war.

"2. That in conformity to the second article of the said convention, the French government shall promise to establish, immediately, some principle of concert with his imperial majesty for regulating the basis upon which the affairs of Italy shall be finally adjusted.

"3. That it shall engage, in conformity to the 6th article of the convention aforesaid, and the *promise so repeatedly given to Russia* to indemnify, without delay, the king of Sardinia for the losses he has sustained. Lastly,

"4. That in virtue of the obligation of a mutual guarantee and mediation, the French government shall promise immediately to evacuate and withdraw its troops from the *North of Germany*; and enter into an engagment to respect, in the strictest manner, the *neutrality of the Germanic body*.

"The undersigned has to add, that he has received orders from his government to demand a categorical answer to these four points, and avails himself of this opportunity, &c.

(Signed) "P. D'OUBRIL."

WASHINGTON CITY.

MONDAY, JANUARY 14.

THE Delegates of the district of Columbia are advised that an adjourned meeting will be held at Semmes's Hotel, George town, THIS DAY, at 10 o'clock, A. M.

Washington Assemblies.

The Subscribers are informed that the first Assembly will be held at the Theatre, on Wednesday Evening, at six o'clock.

DIED, on Friday morning, Colonel JAMES GILLESPIE, a representative from North Carolina.

The House of Representatives entered on Friday into a resolution to wear crape for thirty days, and on Saturday attended his funeral, for the direction of which they had previously appointed a committee.

The Legislature of Pennsylvania have rejected the proposition made by the legislature of Massachusetts, for altering the constitution of the United States, relative to the representation in Congress.

On the 7th instant, the trial of the impeachment against Edward Shippen, Jasper Yeates, and Thomas Smith, associate Judges of the Supreme Court of Pennsylvania, commenced at Lancaster, before the Senate. Mr. Rodney appeared as counsel for the managers, and Messrs. Dallas and Ingersol, counsel for the Judges.

The Articles of Impeachment having been read,

Judge Shippen rose and said, "I beg leave to deliver our plea and answer to this accusation in writing."

A paper was accordingly handed to the President by Mr. Dallas.

The President then said, "shall this plea and answer be read?"—and the court answered aye.

It was accordingly read by the clerk as follows:

"The answers of Edward Shippen, Jasper Yeates, and Thomas Smith, to the articles of impeachment, exhibited against them by the House of Representatives of the Commonwealth of Pennsylvania:

"The said Edward Shippen, Jasper Yeates and Thomas Smith, saving to themselves, respectively, all exceptions, whatever, to the said articles, and the charges therein contained, severally answer and say;

That, they are not jointly or severally, guilty of all, or any, of the matters in the said articles contained, in manner and form, as they are therein charged against them.

And, they, further, confidently aver, that, all and singular the things, which they have judicially done, in the premises, were warranted and justified, by the constitution and known laws of the commonwealth; and, were free from all feelings and designs of favour, prejudice, cruelty, or oppression.

(Signed)
EDWARD SHIPPEN,
JASPER YEATES,
THOMAS SMITH.

(Signed)
JARED INGERSOLL, } *Counsel for the*
A. J. DALLAS, } *respondents.*

Mr. Boileau, chairman of the managers, then rose—"Mr. President, the managers consider it to be their duty, to consult the House of Representatives, upon the replication to be given to this plea; they, therefore, demand, of the court, a delay until the usual time of meeting, to-morrow morning, to prepare the same."

The President said, the time is granted.

Mr. Kean, of the Senate, then moved that the court adjourn to half past eleven on Tuesday morning; and the court was accordingly adjourned—at 12 o'clock.

A gentleman who came passenger in the barque Nixon, from Rotterdam to Savannah, informs that Mr. Monroe, the American minister, arrived at Rotterdam from London on the 14th October, and left it in two days afterwards for Paris and Marid.

Extract of a letter to a gentleman in New York, dated Cadiz, November 13.

"The news yesterday from the interior of this country is of a very alarming nature. In many places the people are in a state of insurrection. Want of bread has driven the lower classes to great extremity, and in consequence to some shocking outrages. In one town the poorer inhabitants have risen in a mob and hanged the governor."

NEW YORK, January 9.

At a court of oyer and terminer and general gaol delivery, held yesterday at the city hall, of the city of New York, in and for the said city and county, William P. Van Ness, Esq. was tried and convicted of being the bearer of a challenge from the Vice President of the United States to the late gen. Hamilton, and for aiding and abetting in the fatal duel which terminated in the death of the latter. The evidence was so clear and positive, that the jury returned a verdict without retiring from their box.

The trial of Nathaniel Pendleton, Esq. implicated in a similar charge as the second of gen. Hamilton, will, we understand, take place this day; and that of Richard Riker, Esq. (the district attorney) and Mr. Robert Swartwout, in the course of the session—Mr. Woodworth, the attorney-general, having come on for the special purpose of conducting these prosecutions on the part of the state.

The cause of col. William S. Smith, against Mr. James Cheetham, for a libel, was tried at a sitting of the supreme court on Monday; and called in to exercise some of the first rate talents of the bar. A verdict was given for the plaintiff, with 200 dollars damages.

District of Columbia, Washington County.

I Hereby certify that Daniel Geyer brought before me a stray BAY HORSE, about 15 hands high, in very bad order, appears to be about 11 years old, with a small white spot on his forehead, a snip on the right side of his nose, and a small white place under his belly. Given under my hand this 11th day of January, 1805.

SAMUEL HAMILTON.

The owner of the above described horse may have him again by paying his expences, and the cost of this advertisement by application to the subscriber near the Centre Market House

DANIEL GEYER.

January 14—3t

In the case of Henry Dunlap an insolvent debtor.

District of Columbia Washington county to wit:

ON the petition of HENRY DUNLAP an insolvent debtor confined in the prison of Washington county for debt. It is ordered that notice be given to the creditors of the said Henry Dunlap that on the 28th of January inst. at 10 o'clock A. M. at the court room in the capitol, the oath of an insolvent debtor will be administered to the said Henry Dunlap and a trustee appointed agreeably to the act, for the relief of insolvent debtors within the District of Columbia, unless sufficient cause then and there be shewn to the contrary. It is also ordered that this notice be published in the National Intelligencer and Washington Federalist three times previous to the 21st inst.

By order URIAH FORREST, Ck.

January 14—3t

By AUTHORITY.

AN ACT

To divide the Indiana Territory into two separate governments.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled That from and after the thirtieth day of June next, all that part of the Indiana Territory, which lies North of a line drawn East from the southerly bend or extreme of lake Michigan, until it shall intersect lake Erie, and East of a line drawn from the said southerly bend through the middle of said lake to its northern extremity, and thence due North to the northern boundary of the United States, shall, for the purpose of temporary government, constitute a separate territory, and be called Michigan.

Sec. 2. *And be it further enacted,* That there shall be established within the said territory, a government in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty seven, for the government of the territory of the United States North West of the river Ohio: and by an act passed on the seventh day of August, one thousand seven hundred and eighty nine, entitled "An act to provide for the government of the Territory North West of the river Ohio;" and the inhabitants thereof shall be entitled to, and enjoy all and singular the rights, privileges, and advantages granted and secured to the people of the territory of the United States, North West of the river Ohio, by the said ordinance.

Sec. 3. *And be it further enacted,* That the officers for the said territory, who, by virtue of this act, shall be appointed by the President of the United States, by and with the advice and consent of the Senate, shall respectively exercise the same powers, perform the same duties, & receive for their services the same compensations as by the ordinance aforesaid & the laws of the United States, have been provided & established for similar officers in the Indiana Territory; and the duties and emoluments of Superintendant of Indian affairs, shall be united with those of Governor.

Sec. 4. *And be it further enacted,* That nothing in this act contained, shall be construed so as, in any manner, to affect the government now in force in the Indiana Territory, further than to prohibit the exercise thereof, within the said territory of Michigan, from and after the aforesaid thirtieth day of June next.

Sec. 5. *And be it further enacted,* That all suits, process and proceedings, which, on the thirtieth day of June next, shall be pending in the court of any county, which shall be included within the said Territory of Michigan; and also all suits, process and proceedings, which, on the said thirtieth day of June next, shall be pending in the general court of the Indiana Territory, in consequence of any writ of removal, or order for trial at bar, and which had been removed from any of the counties included within the limits of the Territory of Michigan aforesaid, shall, in all things concerning the same, be proceeded on, and judgments and decrees rendered thereon in the same manner as if the said Indiana Territory had remained undivided.

Sec. 6. *And be it further enacted,* That Detroit shall be the seat of government of the said territory, until Congress shall otherwise direct.

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR,
Vice-President of the United States, and President of the Senate.

January 11, 1805—APPROVED,
TH: JEFFERSON.

AN ACT,

Declaring Cambridge, in the state of Massachusetts, to be a port of delivery.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the town or landing place of Cambridge, in the state of Massachusetts, shall be a port of delivery, to be annexed to the District of Boston and Charlestown, and shall be subject to the same regulations as other ports of delivery in the United States.

NATHL. MACON,
Speaker of the House of Representatives.
A. BURR
Vice President of the United States, and President of the Senate.

January 11, 1805—APPROVED,
TH: JEFFERSON.

TO THE PUBLIC.

Whatever reluctance I may feel to the measure, I cannot avoid obtruding myself and my affairs on public attention. To suffer the notice given by Mr. James Greenleaf, that the assignees of Morris and others, have claim to a great part of the Washington Tontine property, to pass without observation, might expose me to the suspicion that I could descend to practise fraud upon the public. To refrain from shewing to the world, that the Tontine property is free from any claim of Morris and others, would be to abandon a fair and honest enterprise; useful to its projectors; beneficial to those who have become, and may become adventurers in it; and advantageous to the City of Washington.

Some of the Tontine property was acquired by myself and others, by purchase at the public sales of the commissioners of Washington, of the property that had been contracted for by Morris and others, and which was resold under a law of Maryland because the stipulated payments had not been made. This, it is understood, is the property, to which it is said the assignees have claim—and this, on the ground heretofore assumed, that the commissioners had not authority under the Maryland law, to re-sell the property contracted for by Morris and others, before the passage of the law.

For more than seven years, pretensions of this kind have been rumoured throughout the United States, to the inconceivable injury of many proprietors of City property: and to the great prejudice of the City itself—but, as in all this time, no effort has been made to establish claim to a single lot, by any legal course, those least inclined to uncharitable suspicion, have been led to the belief, that these pretensions were kept up for the laudable purpose of retarding the progress of the city, by deterring strangers from making investments in it;—or with the honest view of embarrassing sales, until the owners of such property should yield, as to the lesser evil, to iniquitous demands in the shape of compromise, for the privilege of selling.

Who that steps beyond his own threshold has not had his ears poisoned by the tales, universally circulated, of the infinite hazard of titles in Washington? In Washington, where of all places the titles to property can be most easily ascertained; and where, of all places, they are in general most secure:—and more especially, to that property subject to most obloquy—I mean that which has passed through the hands of the commissioners, and is held under their title; in which, it is next to impossible for the most ignorant to be deceived.

But enough of exordium. The public will please to take notice, that Morris and others, contracted on the 24th of December, 1793, with the commissioners of Washington, for 6000 lots, and agreed to pay by seven annual instalments of about 70,000 dollars each. They quickly failed to make the promised payments, and the commissioners proceeded to re-sell the lots under the authority of the Maryland law:—But their right being questioned, they took the opinion of the Attorney General of the United States, so much of which as is relevant to the point in contest, I here recite:

"By the agreement of the 24th December, 1793, between the commissioners of Washington, and Morris and Greenleaf for 6000 lots, the consideration money is to be paid by instalments, and therefore this sale" (a sale in contemplation by the commissioners) "appears to be within the letter and spirit of the act of 28th December, 1793, which more properly comprehends sales made prior to the passage of the act, than sales subsequent thereto, and in my opinion comprehends sales of both descriptions. This act does not impair any contract, nor is it objectionable with respect to this sale, as being ex post facto, because it does not alter any contract, but invents a new and speedy mode of preventing injury that might arise from a breach of contract, and is in furtherance of a fair and complete execution of the terms of the contract. It is analogous to a law amending the administration of justice, and giving new, or changing old remedies.

"In the present case it may be remarked, that the law was passed before any breach of contract had taken place.

"As to the lots comprized in the contract, remaining unconveyed to Morris and Greenleaf, if default has been made in paying the instalments, or any of them which may have become due, and likewise in building the number of houses stipulated, it is my opinion so many of them may be re-sold by the commissioners agreeably to the aforesaid act, as shall be requisite to raise the full sum of money due at the time of such re-sale, and so from time to time, as the instalments shall fall due, and be unpaid. It is my meaning that no more shall be sold than will satisfy the arrearages of principal and interest actually due and charges thereon. C. LEE".

That the reader may judge of the soundness of the attorney general's exposition of the law, I will recite all of it that relates to this subject.

"And be it enacted, That on sales of lots in the said city, by the said commissioners, or any two of them, under terms or conditions of payment being made therefor, at any day, or days after such contract entered into, if any sum of the purchase money or interest shall not be paid for the space of 30 days after the same ought to be paid, the commissioners, or any two of them may sell the same lots at public vendue in the city of Washington, at any time after giving 60 days notice of such sale in some of the public news-papers of George town and Baltimore town, and retain in their hands sufficient of the money produced by such new sale, to satisfy all principal and interest due on the first contract, together with all the expenses of advertisements and sale—and the original purchaser or his assigns shall be entiled to receive from the said commissioners at their treasury on demand the balance of the many which may have been actually received by them, or under their order, on the said second sale—and all lots so sold shall be freed and acquitted of all claim legal or equitable of the first purchaser, his heirs and assigns."

Here I might safely rest my appeal, secure of the suffrage of every man who can understand what he reads, and whose object is conviction. But in a case like this, even the shadow of diffidence should not remain—and shall not, nor shall those miserable creatures whose highest gratification consists in the malignant pleasure of surveying the disappointments of men who strive by proper means, to acquit themselves honorably of their burthens, be permitted the privilege of doubting themselves, nor, of infusing doubts into the minds of others, as to the safety of the titles to the Tontine property, and other property in Washington, affected by this fraudulent claim, to the amount of one third of all that is valuable in it.

Let it be remembered that the objection to the commissioners right to re-sell the lots contracted for by Morris and Greenleaf, is this—that the law giving the power to re-sale, passed after the contract. Even this poor plea, wretched as it is, shall no longer be made the pretext for deception. The law passed before the contract. For evidence of this fact I appeal to the journals of proceedings of the two houses of the Maryland legislature, by which it will be seen, that the bill originated in the Senate, and after the sanction of that body, was sent to the House of Delegates where it remained some days, that was taken up for the last time and passed in the sitting of the forenoon, of the 24th of December, 1793. These journals will be lodged at the office of the National Intelligencer. I scarcely need observe what all Maryland knows, that the laws of Maryland take effect from their passing both houses. The governor is not a part of the legislature, and tho' he signs the laws in the presence of both houses, as a witness, the omission to do so, does not invalidate the laws, as the courts have determined—they are as much in force before they get his signature, which is generally put to them at the end of the session, as afterwards.

The commissioners of 1793 were men of character and prudence and did not think it quite safe to commit the fate of the city to the keeping of Greenleaf and Co. with no other remedy in their hands, for failure in engagement, than the tedious process of a chancery suit, and therefore waited until they received certain information of the passage of the law. Such information was sent them immediately on its passage the 24th of December, and they received it in time to enable them to execute the contract the same night, though at a very late hour, with full knowledge of the existence of the law.

It may be asked, why did the commissioners of 1797 represent to the attorney general, and believe themselves that this important act passed the 28th and not the 24th of December? I know of but one way of accounting for this apparent inattention on their part, to a fact to be sure not material to their right of re-sale, but certainly very material to quiet the minds of timid purchasers. These gentlemen were a new set of commissioners, none of them had been privy to the transactions of 1793, they saw by the contract they found in the office that it had been executed on the 24th of December, and by the printed book of laws, it appeared that the act in question and every other act of the same session had passed on the 28th day of December, and they supposed they inquired no further. The circumstances indeed of all the acts of the session appearing to have passed on the same day, had it been adverted to, would have led to the conclusion that there was an error in the printing; but this circumstance, striking as it now seems, most probably escaped attention, and from this little oversight, have arisen all the mighty mischiefs that have flowed from the slander of the titles to Washington property. For had this pitiful plea, that the contract was prior to the law, been shewn at the first sales, to be untrue in point of fact, there being nothing else to rest a doubt upon, we should have heard nothing about the sales of the commissioners without the authority of law—nor of the hazard of titles in Washington.

After this it is to be hoped we shall hear no more of the claims of the assignees, or others, on one third part of the city of Washington. At least it is to be expected that the assignees, who have characters to stake, and who must have been deceived, will no longer permit their names to be prostituted to countenance such claims—nor can this expectation be disappointed, if these gentlemen are just to their own fame.

As I have known for several weeks, that Mr. Greenleaf was engaged in the benevolent work of slandering the Tontine titles, I thought it due to decency to suffer the progress of that institution to be suspended, until an opportunity could be seized to dissipate doubts. I shall now take my measures to insure to it the success it merits, which this developement will most likely accelerate.

BEN. STODDERT.

George-Town, January 11, 1805.

P. S. Those Printers who have published the plan of the Washington Tontine, will much oblige me by inserting this, and with it Mr. Greenleaf's notification. B. S.

BY virtue of a writ of Venditioni Exponas issued from the Circuit court of the district of Columbia for the county of Washington, at the suit of the President directors and Company of the Bank of Columbia—will be exposed to public sale for ready cash on the 21st day of December next, at Wm. Rhodes's tavern in the city of Washington, all the right, title, claim and interest of John P. Van Ness in and to the following property, viz.—Lots no 3 4 5 and 6 in sq no 492 Lots no 3 in sq no 493 Lots no 4 5 6 and 7 in sq 494 Lots no 5 6 7 8 9 10 11 and 12 in sq no 535 Lot no 5 in sq south of sq no 461 Lot no 15 in sq no 878 Lots no [illegible] in sq no 585 [illegible] no 874 Lots no 5 7 8 9 10 12 13 14 15 17 18 [illegible] 21 and 22 in sq 642 Lots no 3 4 5 [illegible] in sq no 537 Lots no [illegible] and 3 in sq no 577 Lot no [illegible] in sq no 579, [illegible] Lots no 2 and 18 in sq 583 Lots no 1 in sq south of sq no 643 Lots no [illegible] 27 in sq [illegible] 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 and 28 in sq no [illegible] Lots no 9 10 11 and 12 in sq no 792 Lots no 16 17 18 19 20 21 22 23 24 25 and 26 in sq no 826 Lot no 11 in sq no [illegible] 256 Lot no 11 in sq no 378 and lots no 13 14 and 15 in sq no 491 as is laid down in the plan of the city of Washington—The sale will commence precisely at 10 o'clock.

DANIEL C. BRENT, Marshal.

October 29—lawtf

☞ *The sale of the above property is postponed to the 30th day of January next, on which day the sale will certainly commence precisely at 10 o'clock.* Dec. 19—2