Do. of spring wheat of 1804	24	70	6
Do. of good English wheat of 1803	19	77	4
Do. of blighted do. of 1804	13	52	44

Hence it may be deduced, that bread made of flour of spring wheat is more nutritious than that made of winter wheat, because spring wheat contains a larger proportion of the gluten or half animalized matter; and, also, that a miller ought not to deduct from the price of spring wheat more than two per cent. on the money price of winter wheat of the same weight, as the excess of the weight of insoluble matter, or bran, is no more than two per cent. when compared with good English wheat. Bread made of spring wheat is less white than that made of the better ... of winter wheat, but it is more palatable; qualities probably owing to the excess of gluten contained in it.

Prussia.

Mr. Hulz, a Prussian astronomer, published an opinion, in August last, that the sun at that time was undergoing some considerable change. This opinion was founded on a number of spots occupying one fifth part of its diameter in their length, and one nineteenth in their breadth. These spots varied in their forms and were perceptibly changed in the course of 2 or 3 hours.

M. Bouchholz has transmitted to the academy of sciences at Erfurt, an account of some new experiments on the ore of Platina. The author endeavors to reconcile the contradictions of the English and French chemists relative to this metal. He finds that platina, in its crude state, contains four other metals, viz. osmium, iridum, rhodium, and palladium.

Austria.

The late M. Hausi Niku, an eminent Russian, founded a school at Cronstadt for the education of modern Greeks. It already contains 34 students. The objects of instruction are the principles of religion, reading, writing, and arithmetic, and the ancient Greek. The professors are monks of Mount Athos.

Of the literary journals published in Germany, that of Halle is the most read; after this, that of Jena; of other periodical works, the Free thinker is most in request, and after that, the Gazette of the Polite World. The Minerva of Archenholz is read with much approbation. The Gazette of Neuwied retains its former estimation.

Portugal.

The literature of Portugal is about to receive a valuable accession in a translation of Voltaire's Henriade, by the marquez de B...s, formerly ambassador extraordinary at the court of London, and now at the head of the judicial department in his own country. This work is to be inscribed to his accomplished and amiable daughter, and it is reported to do no small honor to the poetical talents of the illustrious translator.

Italy.

Last year was marked by terrible explosions of Vesuvius. On July 28, a concussion shook most of the houses in Naples, ... several towns and villages were almost entirely destroyed, and 30,000 inhabitants lost their lives. Soon after, Vesuvius appeared agitated; and on Aug. 12, a violent eruption ensued, and the lava took its direction towards the sea with incredible velocity. Many naturalists, as Humboldt, Buck, the duke Della Torre, Guy-Lussac, &c. were eye-witnesses of this eruption, and have published accounts.

East-Indies.

It is said that the directors of the East India Company, some time since, sent orders to their supercargoes to procure certain elementary books of the Chinese language for the use of their college at Hertford. Their agent was zealous to obtain them from Pekin, but the government immediately prohibited their exportation, under the severest penalties!

District of Columbia, county of Washington
Circuit court. June term 1807.
IN CHANCERY, JUNE 6TH, 1807.
John Threlkeld,
versus
Jacob Gross and Bernard French.

The report of Daniel Bussard

the trustee formerly appointed in this cause having been returned, sworn to, and filed and the proceedings therein approved.

It is therefore ordered and adjudged that the said report be ratified and confirmed unless cause be shewn to the contrary on or before the twenty second day of June instant. provided a copy of this order be published in the National Intelligencer three times before that day

The report states that the property therein mentioned was sold for the sum of two hundred and five dollars, and that Isaac Dawes became the purchaser thereof.

By order WM. BRENT, Ck.
June 8 - 3t

JUST RECEIVED,

AND for sale at the subscriber's store, adjoining the Seven Buildings, Oranges, Lemmons, Olives, Capers, Fresh Imperial and Old Hyson Teas, latest importation 20 boxes best Spanish segars, Claret and Frontignac wine of superior quality imported last May, &c.

P. MAURO.

June 5—w3t.

FRESH TURNIP SEED.
(WARRANTED GOOD.)

Early Turnip seed,
Large white round, do.
Ruta Baga, or Swedish, do.
For sale at THEO: HOLT'S Nursery Garden city of Washington, and at Dr. OTT'S Georgetown.
June 10 - w6t

TRIAL OF COL. AARON BURR.

WEDNESDAY, June 3.

The same Judges present as yesterday.

The names of the grand jury being called over, they retired to their chamber.

A few minutes after the Attorney for the U.S. entered; and observed, that he had a proposition to submit to the court, which he wished the grand jury to hear. He requested therefore that they might be called in.

Counsel for Mr. Burr. We have no objection.

The Chief Justice directed the marshal to call the jury into court.

Some minutes intervened before they appeared. In the mean time, Mr. Hay informed the court that he only wished to know from the grand jury, at what time it would be most convenient for them to attend the court, if they were adjourned to some distant day, should such an adjournment equally suit the arrangements of the opposite counsel, that he had just made a calculation, with his friend the marshal, which satisfied him that General Wilkinson had not, perhaps, sufficient time to reach this city: the distance from New Orleans, on the map, was about 1,370 miles; if he came by land, he must travel on horseback; but judging him by himself, he could not probably ride more than 30 miles per day; by these data he would require about 45 days (besides a fragment of a few miles) to travel from New Orleans to this city. This calculation would bring him to the 14th or 15th of this month. He was, therefore, willing if it suited the wishes of the opposite counsel to have the grand jury adjourned for about ten days: That General Wilkinson's situation called upon the court to make this arrangement; he need not expatiate upon the importance of his official duties nor the perilous condition of that part of the country, where the head of the army ought always to be present; that Gen. W. should be detained here as short a time as possible; and that it would be particularly inconvenient for him to stay here till the meeting of an intermediate court, for the present trial: that it was, therefore the interest of the U. S. to have the trial concluded during the present term; and that he had no doubt the very same considerations would not only lead every member of the grand jury cheerfully to submit to any private inconvenience which they might sustain, but punctually to return at the time appointed by the court.

The *Chief Justice* observed, that there would be no difficulty on the part of the court.

Mr. Wickham owned, that this communication somewhat surprised him; as Mr. Hay had but a few days before announced to the court, from a letter of the secretary of war, that Gen. W. would be here between the 28th or 30th of May.

Mr. Hay observed, that the letter from General Dearborn admitted of an easy explanation; that according to Mr. Minnikison's affidavit, the express could not have reached New Orleans before the 3rd or 4th of May; and that this exceeded the time which General D. had allowed: His opinion was founded on the circumstance of the messenger's leaving Washington on a certain day, and of course his reaching New Orleans on a certain day: that Mr. Minikison's affidavit had shewn this calculation to be not altogether incorrect; that Mr. M. had therefore given him some information, which Gen. D. could not have possessed. Mr. H. was sorry he could not inform the court how Gen. W. travelled, and of course how to make any calculation about the time of his arrival.

The *Chief Justice* said, that before the grand jury came in, he could not but express his regret at the great inconvenience which they were likely to sustain: but he believed that less of it would arise from the course pointed out by the U. S. attorney, than from any other. The court would continue to sit as usual; its ordinary business would go on; and no further steps would be taken in the prosecution, until the return of the grand jury: the court would observe, that it seemed desirable in every point of view, that this business should be closed during the present term; that a number of witnesses were now present, all of whom would not probably attend at any other term; and that it would be more convenient for the court itself to wait a fortnight longer after its usual period of adjournment, than to hold an intermediate court for this purpose.

Mr. Wickham had no doubt himself that if General Wilkinson had intended to have come at all, he would have been here before this time; certainly the government had not failed in its duty in taking every necessary measure to have him here: if the grand jury was adjourned to some distant day, the great difficulty would be to collect them all again at the end of the time appointed—and that if Gen. W. was to come at all, he may be expected here every day; and that of course it was better to adjourn the grand jury only from day to day.

Mr. Hay stated, that a large allowance ought to be made for the distance and uncertainty of the journey; and that he should remind the court of a corresponding fact. Mr. Perkins who escorted Col. B. left Fort Stoddert about the 23rd or 24th of March; but he himself did not reach this city before the 33rd or 36th day. Now, Mr. P. certainly travelled with greater advantages than Gen. Wilkinson would; as he pressed or purchased horses to expedite his journey. Admit then, Mr. P. used due diligence, (and he has been even charged with too much); how can Gen. W. be certainly expected? Gentlemen ought not to be so confident in their hopes. Gen. W. will be here, as sure as he is a living man. Nothing but death will prevent him.

The *Chief Justice* observed, that a large calculation ought certainly to be made, as the distance was very considerable, and it was very uncertain, when General W. set out, or how he travels.

At this moment the grand jury returned into court.

Mr. Hay addressed them in the following terms: "Gentlemen of the grand jury, I have already stated to the court and the opposite counsel that this business should be concluded, if possible, during your present session. I have moved the court that you be called again at the end of 10 days or a fortnight. My calculation is, that Gen. W. cannot be here before the 14th or 15th of this month. I am sorry to detain you here a single moment; but I flatter myself that you will still continue to display the same praise worthy patience which has hitherto marked your conduct. I am, therefore, anxious to consult your own convenience as much as possible; and I wish to know at what time it will be most convenient for you to return to this place, if you are adjourned to a distant day.

Mr. J. Randolph (the foreman).—Any time, may it please the court, shall be most convenient to ourselves, that is most convenient to the court and the parties. We should, however, prefer a distant day.

Mr. Burr observed, that there were manifest inconveniences in the measure proposed: he had, for instance, a number of witnesses here, from a distance; would it not be inconvenient for them to be kept here? Certainly, however, they may be detained. But why an adjournment to a distant day? Mr. Wilkinson may be expected here every day. The attorney's estimate of the time is not perhaps correct. Perkins came about the same distance as Mr. W. is to come; but he performed his journey in 31 days. What we want, however, is some data from the government on this subject; such for instance, as the time when the express left Washington. As to Minnikison's affidavit, what great reliance can be placed in it? Did he certainly identify the express? But suppose that this express reached New Orleans about the time mentioned: Mr. W. may come by water; and is to be expected here every day.—Mr. B. hoped that this measure would not be adopted: particularly as it was uncertain, whether 8 or 10 days hence all of the grand jury would meet here again. Mr. W. may be near to this place at this moment; and he may arrive almost immediately after the jury is adjourned.

According to Mr. Dearborne's letter, Mr. W. ought to have been here between the 28th and 30th of May. Allowing, however, 6 days more than he said, Mr. W. may be expected tomorrow.

Mr. Hay observed, that it was of no sort importance to him personally or officially, to what time the grand jury was adjourned. all that he wished, was that the public business should go on and this prosecution close during the present court. Whether gen. Wilkinson would be here tomorrow or a fortnight hence, he knew not. He merely made the present proposition for the accommodation of the grand jury. If gentlemen on the other side chose to object to it, and the court would adjourn the jury from day to day, he was satisfied. He had in the early part of April, received a letter from Mr. Rodney, stating that every exertion would be made to have him here. It was not probable that the messenger could have arrived in New Orleans, before the 3d or 4th of May. If gen. W. travelled by land, he would not come so expeditiously as Mr. Perkins, because Mr. P. had exhausted the frontier parts of Georgia of its horses. Such at least was Mr. Minnickin's representation.

Mr. Martin submitted to the court, whether it was not better to adjourn the jury from day to day. Any calculation on such a subject was uncertain; it was uncertain whether gen. W. would travel by land or by water: but if he came by land he might certainly travel further than the gentleman had allowed 30 miles a day; nor would be obliged to use the same horse, as that gentleman had also supposed. As gen. W. was a military gentleman, he would not be confined to 30 miles a day; nor might he deny himself the convenience of frequent relays of horses. And suppose that he should arrive here tomorrow, all the other important witnesses are present and the business might be concluded, before the time should come to which the grand jury may be adjourned. He hoped, therefore, that the court would not adjourn them to a distant day:—As to himself, he said, he did not wish his own situation to enter into the consideration of the grand jury, or the court: that certainly he ought to be on the Eastern Shore on —— to attend the court:—but that notwithstanding this circumstance, he was determined to stay here, so long as he could expect to do any service to the gentleman, whom he had come to defend.

Mr. Wickham stated, that if gen. W. did not even arrive here in two or three days, intelligence at least might be obtained within that time of the period of his arrival. Every post from the north or south might bring the information: Every person that came by land or water. Under such circumstances ought they to be adjourned for 10 days or a fortnight?

Mr. Randolph (the foreman.) It is, sir, almost indifferent to the jury, what steps may be taken.—They have made no motion for their prorogation or their discharge. Their great anxiety is to fulfil their duty.

The Chief Justice said that he was fully impressed with the patience which the grand jury had manifested. Perhaps Monday next would as convenient to them, as any other day, to reassemble.

Mr. Hay hoped that the grand jury would be punctual in their attendance, as he sincerely wished to have the business closed during this term; and a number of witnesses were present who cannot all be expected here again.

Mr. Wickham expressed his opposition to their adjournment; for altho' the jury had hitherto exhibited so much patience, yet if they retired home, some one might find his domestic affairs in such a situation, as to think himself excused from further attendance.

Chief Justice. Let it then be understood, that not before Monday next, 3 o'clock will the jury be called again.

A desultory conversation here ensued between the jury & the chief justice, some of the former wishing as distant a time as possible. Tuesday was then named; when

Mr. Wickham observed, that if the grand jury preferred Tuesday, he should have no objection; though he himself should prefer an earlier day.

Chief Justice. Gentlemen of the grand jury, you will attend here on Tuesday next, 2 o'clock.

Wednesday, May 27.

Mr. Hay stated to the court, that all hopes of the arrangement which he had mentioned yesterday, were at an end; for he had received a letter from col. Burr's counsel, positively refusing to give any additional bail:—that he should therefore go on with his motion for commitment.—He observed, that he was ready to proceed with the evidence, in laying which before the Court, he should observe something like a chronological order. He should read first the depositions of such witnesses, as were absent; and afterwards bring up such witnesses as were present, in such an order as to disclose all the events as they successively arose.

Mr. Wickham stated that there were two distinct charges against col. Burr; the first was a charge of misdemeanor, for which col. B. had already entered into recognizance.—The other was a charge of High Treason against the U. S.; which was once proposed without success and is now again repeated. On this charge the U. S. must substantiate two essential points: 1st: that there was an overt act committed; and 2ndly that col. Burr, was concerned in it.—Every thing that does not bear upon these points is of course inadmissible. The course therefore laid down by the attorney for the U. S. is obviously improper. He proposes to examine his witnesses in a kind of chronological order.

Col. B. requires that the evidence should be taken in strict legal order. The court and even the opposite counsel will see the propriety of observing this order. If the Attorney for the U. S. has affidavits to produce let him first demonstrate that they have a right to produce them. We first call upon him to prove by strict legal evidence, that an overt act of Treason has been committed. If he cannot establish that one point, all the evidence which he can produce, is nugatory and unavailing.

Mr. Hay had no doubt, that the gentleman would, if he could, suppress *all* the evidence; that although that gentleman had been so good as to prescribe for him the course he ought to pursue, he should still pursue his own course; and he would assure that gentleman, that he was almost the last person in the world, whose advice on the present occasion he would pursue. Mr H. observed, that he could not consent to such a separation of the evidence, as that gentleman required; that he should lay all the evidence before the court & that the court must separate for themselves.

The two charges which are brought against Aaron Burr, are naturally and intimately blended. They form distinct parts of one great design. What that great design was, in all its bearings and ramifications, I am not absolutely certain. But I have always conceived, that before Mexico was invaded, New-Orleans was to be taken How then is it possible to separate those two great allegations? This monstrous design consists of two great plots; both going on together; and both so strongly connected, that accomplishing the one is preparatory to accomplish the other. If A. Burr's object was to plant his standard in Mexico, he was first to have seized the shipping and banks of New-Orleans. We ask then, how can we separate line by line and word by word, the evidence produced to prove these two distinct allegations. The designs are connected: & the evidence is connected.

Mr. Burr rose to speak; when *Mr. Hay* proceeded to the following effect: I have a little more yet to say. If sir, exceptions are thus to be continually taken to the most common measures; if in this way every inch of ground is to be disputed, contrary to every practice that has prevailed in our country; instead of 10 hours or 10 days this trial will take up 10 years. What an extraordinary proceeding is this, sir! Why, sir, we are not to steer our course even five inches without encountering some unusual difficulty or other!—And yet these gentlemen talk of precedents. And where, sir, is the precedent for this, that the counsel before an examining court is to be instructed *how*, to bring out his evidence? I never saw such a thing done before; such a thing ought not to be done. It is novel in itself; it is impossible to be practised. Gentlemen may make motions as they please: but they will not drive me from my purpose. I will or I will not produce my evidence, whether it pleases them or not—And, sir, it is a poor compliment indeed that these gentlemen offer to the bench whom they address? If a deposition states any thing or a witness says any thing which is irrelevant to the cause, cannot the court be trusted for these distinctions? Cannot they decide, whether *this* evidence is to be weighed, or *that* to be rejected? Do they distrust the judgement of the court? No, sir, they do not; but they wish to hamper us with every trifling difficulty which they can throw into our path.—The present, sir, is a most serious allegation. It affects the life and character of the accused. He has come forward with assertions of his own innocence: and he charges us with persecution. But, sir, does it evince any consciousness of innocence, thus to be going against every precedent established in this or any other country? Sir, I trust, that the court will go on in spite of all opposition.

Mr. Wickham stated, that, having taken the liberty of suggesting this course of proceeding, he should advance a few observations on it: and he did this the more readily, because it has been insinuated that no man standing like himself as a professional man, would have made a motion of this sort.——(Mr. Hay declared he had said no such thing.)—Mr. W. said he had rights as counsel for his client and he had rights belonging to himself: No man is heard for himself; but so long as they employed professional men to defend them these had a right to pursue the best course they could devise for the benefit of their client.—He would therefore go on:

Mr. Hay speaks of two distinct charges; the invasion of Mexico and the seizing of New Orleans: but he declares them to be necessarily blended. How so? Could not a man 'levy war' against the U. S. without an invasion of Mexico? In Pennsylvania we have seen an insurrection against the U. S. but no invasion against Mexico. Much is said of the loss of time and of certain difficulties thrown in the way of the prosecution.

As to the first, sir, let the world decide whether we or himself have most plead for delay. At all events, we cannot entertain any fear that this court will be impatient. As to the difficulties in their way, we will say this, let the gentlemen pursue a regular course; let them bring this business before the grand jury, and we shall make no objections. But, sir, if they pursue this course over and over again; if they are continually throwing difficulties in our way; we shall mete out to them the same measure which they mete to us. Who has ever known of a proceeding like the present? Who has ever heard of the practice of coming out at such a stage as this with a distinct substantive charge, not growing out of the evidence before the court, but from other sources? Surely these gentlemen do not cry out for mercy; they stand upon the law; and law they shall have. Gentlemen say, that no such exception as this was ever taken before an examining magistrate. But, sir, where are the reporters that attend private magistrates, to record their precedents? Magistrates are to go by law; and what law? They must observe the rules of evidence. Would gentlemen introduce their witnesses without swearing them?

But the court must have all the evidence before them; and "they must separate" the good from the bad. But is this consistent with common sense; is it consistent with the books? The practice has always been, when an attorney introduced a writing into court, to ask what he is to prove by it: when he introduces a paper to shew the general contents of that paper. This was the practice on the memorable trials of Hardy and Tooke in England. In chancery business, indeed, a practice has crept in for the judge himself to read papers without knowing any thing of their general contents; but this is done merely for the sake of convenience, and will not certainly apply to criminal prosecutions.

It is asked, "are we afraid to trust the court" with this evidence. No, sir. We are afraid to trust the court with nothing; but we do fear to prejudicate the mind of the Grand Jury by this premature and illegal exhibition of evidence. Let the time come, when col. B is to come regularly before the Jury, and we shall then see, who shrinks from the testimony. A number of other remarks have been made, sir, about col. B's apprehensions. All propriety and decorum have been set at nought; every idle tale which is set afloat has been eagerly caught at. The people here are interested by them; and they circulate all over the country. Sir, if the attorney for the U. S. shall choose to send up his bills before the