Whitehill, Wilson, Winn, Witherspoon.

Those who voted in the negative are—Messrs. W. Alston, Jr. Campbell, Davis, Davenport, jr. Dean, Eja, Gaunden, Lambert, Lewis, J. Marsh, J. Morrow, Mosely, Nicholas, Rhea of Tenn. Rowan, Russel, J. S. Smith, Stedman, Stanton, Williams, J. B. Williams, M. Williams.

And on the question that the House do agree to the said order as amended, it was resolved in the affirmative, Yeas 79—Nays 40.

The yeas and nays being demanded by one fifth of the members present, Those who voted in the affirmative are—Messrs. L. J. Alston, jr. Barber, Bibb, Blackledge, Boyle, Burwell, Cameron, Colston, Cooke, Cowles, jr. Cobb, Dana, Davenport, jr. Dawson, Elliot, Eve, Gardenier, Gardner, Garnett, Gray, Harris, Hogg, Holmes, Howard, Jenkins, Johnson, Jones, Kenan, Key, Kirkpatrick, Lewis, jr. Lyon, Macon, Macon, M'Cleery, Milner, D. Montgomery, jr. J. Montgomery, N. R. Moore, Moore, Morrison, Morrow, Mosely, Mumford, Newbold, Pickens, jr. Quincy, Randolph, Reed, Rowan, Russell, Sammons, Smelt, Smilie, S. Smith, Stanford, Stephens, Taggart, Tallmadge, Taylor, Tracy, Troup, Upham, Van Allen, Van Dyke, Van Horne, Van Rensselaer, Wharton, Wilbour, D. T. Wilcox, Wilson.

Those who voted in the negative are—Messrs. W. Alston, jr. Barbour, Bard, Blake, jr. Blount, Brown, Butler, Calhoun, G. W. Campbell, M. Clay, Clopton, Cutts, Deane, Desha, Findlay, Fisk, Franklin, Goodwyn, Green, Heister, Holland, Humphreys, Isely, Earlsbury, Jr. Kerr, Kerr, Mitchell, Porter, Pugh, Rhea of Ten. M. Richards, Sudgen, J. E. Smith, South, Stewart, Thomas, Tucker, Verplanck, Whitehill, M. Williams, Winn, Witherspoon.

A motion was then made by Mr. *Willis Alston* and seconded, that the President of the Secretary of State do accompanied the message from the President of the U. S. of the first instant, be printed for the use of the members.

And the question being taken thereupon,

It passed in the affirmative.

FOR SALE,

A Stable one story

GIG & HARNESS & SHUTTER.

Enquire of the Printer.

Washington, April 6—

PHILADELPHIA

POINTER & SLE. CELLAR.

LUIS ZUMMIR, on the Island in the DELAWARE, begs leave to inform the Public that he is just opening a WINE CELLAR, over the quay of the New Yard, where the best kind of Porter—ale Also the Madeira shall at all times be procured in bottles or otherwise.

He has also received from Philadelphia, a parcel of the very best LIQUID BLACKING for Boots and Shoes in bottles and half bottles—the fine thing glass of Black Blacking is so well known on the surface of the leather, that no man wears a shiny tassle to cover your boots without asking them in his house to shave, it is difficult to describe all the admirable qualities of this Liquid Blacking.

He continues to keep a general assortment of

GROCERIES & DRY GOODS,

which he offers for sale on very moderate terms.

April 6—2t

MRS. THOMPSON at the SIX BUILDINGS has her best Drawing Room and Bed Chambers occupied with Sables and Carolina houses.

April 6—2t

BAKER, BIGGS & CO.

At E. Rogers' old stand, (one of the right) two doors above the Union Tavern,

Have just received a large assortment of

SPRING GOODS:

Among them are fancy muslins, embroidered chintzes, gingham, linen ginghams, cambric handkerchiefs, long shawls, fine printed calicoes, long lawns, Lenos cotton, leathern silks, spring cassets, silk and cotton hosiery, ladies' and gentlemen's umbrellas, ladies crapes, white and black lustrings, satinets, tartlaplan, lebel linen, superfine cloths, 4 and 5-4 blue and black, and many other fancy and substantial articles; all of which have been selected at the best markets, (principally at cash,) enables them to sell very low.

Geo. Town, April 5—3t

ADVERTISEMENT.

TO be sold on Thursday the 7th of April at the Dwelling House of Mr. *Jacob Sherm in High street*, Her whole Household Furniture, consisting of Feather Beds, Bedsteads, Blanket, Chairs, Mahogany Tables, Desk, Bureau, Glasses, Grate, 4 Stoves, Brass Fender, Andirons, Crockery Ware, Kitchen Furniture, a Milch Cow, Shoats Beds, a pair of Gilded and a Mahogany Piano, in perfect order. The Piano to be sold either at private or public sale; valuable Negro woman about twenty, with a boy, near two years old; the woman is a good all in cook, a washer, ironer, and house maid.

George Town, March 28.

WASHINGTON CITY.

WEDNESDAY, APRIL 6.

The books for receiving subscriptions for the erection of a bridge over the Potomac were on Monday opened at Stelle's Hotel, when 1576 shares were subscribed for; being only 322 to be subscribed, of which being one in 4 days there is scarcely a doubt. We congratulate the public on this evidence of the spirit and resolution of the citizens, and on the certain accomplishment of such a great local and national object. Books, who wish to subscribe, have still an opportunity, by application to the commissioners, who will attend every at Stelle's Hotel 12 to 2 o'clock.

IN THE CASE OF JOHN SMITH.

APRIL 3.

The Senate resumed, at about 11 o'clock, the consideration of the case of John Smith.

Mr. *Key* proceeded with the testimony on the part of Mr. Smith, and read the Depositions of Thomas Rawlins, Richard Bowie, Mr. M'Pherson, Richard Southgate, Ethan Stone, Samuel I. Brown, Philip P. Stewart, D. L. Kearney, Ephraim Morgan, Jacob Burnett, Arthur St. Clair, junr. Benjamin Mitchell, Nicholas Brown, John Armstrong, Isaac G. Burnett, Nicholas Longworth, James Lowrie, Jacob Burnett, Benjamin Mitchell, Griffin Yeatman and Barnet Hulings, to discredit the testimony of E. Gibbs.

Mr. Harper then, in order to present a connected view of the whole testimony, read the depositions of Peter Northrop, Nathan Platt, Gershom Flagg, Ebenezer Stevens, Philip Nichols, Josiah Fairchild, Sampson Burcks, Jonathan Goodsall, Timothy Bloodgood, Ernest Perry, Ely Foote, Gideon Boxford, Michael Parks, Samuel Beers, Moses Bowers, Mark A. Bradley, Ira Chapman, Amos Beers, Truman Beers, David B. Beers, David Beers, John Bennet, T. Hanford, Henry Beers, Joshua Hanford, Benjamin Hall, R. Griffin, Jos. Hall, Wm. Watkins, Joshua Webster, John C. Hodgkins, Wm. Andrews, R. Baldwin, in support of the character of Elias Gilver.

Mr. Key said he would, in the next place, proceed to adduce evidence relative to the affidavit of *Peter Taylor*. Although the counsel, he said Mr. Smith did not consider the evidence of Peter Taylor, of Colonel Mason, Mr. Rhea, and Mr. Lyon, as any thing material against Mr. Smith; yet they would be able to show, that Taylor was perjured. With regard to Peter Taylor, they should not question his general character, but they would offer evidence to show that the circumstances and situation in which he was placed were not such as to entitle his testimony to credit; they would show that he had testified upon a subject, on which he could prove this by his own declarations, as well as by those of others.

Mr. *Harper* read the deposition of Peter Taylor, lately taken at Marietta, and the depositions of Dudley Woodbridge, John Brough, and Morris B. Belknap.

Mr. Harper said that among the charges against John Smith, was his having expressed to Col. Taylor sentiments favorable to the Union. Although they might contend that such a charge, if substantiated, constituted nothing of criminality, they were not disposed to rest the defence on that ground. They denied the charge. In saying this, they did not believe that Col. Taylor had intentionally misstated the expressions of Mr. Smith; they would, however, adduce the testimony of a man who was present at the conversation alluded to, who contradicted it very differently from Col. Taylor, viz—De. Hunter, who is a man of respectable character, both as to veracity and knowledge.

Mr. Harper then read the depositions of Dr. John Seilman and Gen. Henry Carberry.

Mr. Hopkinson, Mr. Harper said, on which they would adduce testimony, was relative to the journey of Mr. Smith to Richmond, which he had interview with Col. Burr, and they would show that the subjects on which Burr was taking it altogether regarded the transaction of his own personal concerns.

The counsel then read the depositions of Joseph Taylor, John Jordan, junr. Thomas Hunt, Daniel Bradley, Alexander Parker, and James Kelly.

When the Senate adjourned, about half past 3 o'clock, to Monday.

MONDAY, APRIL 4.

TUESDAY, APRIL 5.

Mr. Harper read the depositions of Jos. H. Brett, Jno. T. Mason, Gabriel North, Erastus Root, C. Keiser, Isaac G. Burnett, David Zeigler, Jno. Marshall, Abraham Broadwell, Joseph Van Horne, Samuel Hidlige, George Williamson, M. Williams, William Goforth. Messrs. Van Rensselaer, Jer. Morrow, Tallmadge, Bacon and Davenport, of the House of Representatives, and Mr. Tiffin of the Senate, were then examined, and stressed to the general respectability of character of several of the witnesses whom depositions had been received on the part of Mr. Smith.

About 12 o'clock Mr. *Key* commenced a speech, which was concluded about four o'clock, when the Senate adjourned.

Mr. SMITH reached this city on Sunday, and has since given his attendance in the Senate.

HOUSE OF REPRESENTATIVES.

MONDAY, APRIL 4.

Mr. Reed a member from New Jersey to the seat of Mr. Ezra Darby, deceased, appeared and took his seat.

Messrs. Upham and Jenkins, obtained leave of absence for the remainder of the session.

Mr. Randolph, from the committee to whom the subject had been referred, reported a bill making provision for arming and equipping the whole body of the militia of the U. S. which was twice read and referred to a committee of the whole.

The engrossed bill for raising an additional military force was then read and the question being been put, "shall this bill pass?"

An extremely interesting debate ensued, which continued from the time till they adjourned, at 4 o'clock, without taking a question. Messrs. Clopton, Dana, Desha, Eve, Gardenier, Johnson, Rhea, Taylor, Lyon, and Quincy supported the bill, and Messrs. Rhea and D. R. Williams opposed it. [This debate will be given with all possible dispatch.]

TUESDAY, APRIL 5.

Mr. M. Williams obtained leave of absence for the remainder of the session.

A petition was received from the inhabitants of Louisiana, praying the liberty of exporting fish; which was referred to the committee on the public lands of the union.

Mr. Gardner laid upon the table a resolution of the Legislature of Maryland to enquire into the propriety of providing by law for the adjournment of Congress on an earlier period than already provided by law.

Mr. Harper presented several petitions desiring the Congress to grant the liberty to export the same, &c. which were referred to a committee of the whole on the state of the union.

On motion of *Mr. Bishop*,

Resolved, That a committee be appointed to enquire into the expediency of authorizing the President of the United States to cause the first fortification near Portland harbor for other land more suitable for a fortification for the protection of the town, and that they have leave to report by bill or otherwise.

Mr. *Stanford*, from the committee appointed on a message from the President of the U. S. relative to the deficit of appropriations for public buildings in the city of Washington, reported a bill to make appropriations for that purpose, and for other purposes.

This bill, after some debate, was recommitted to the committee who reported it, with instructions to make a detailed report, to enquire into the expediency of abolishing the office of surveyor to the public buildings. [Detail of proceedings on this in our next.]

The House took up the unfinished business of yesterday, on which a debate commenced till near five o'clock, when the House adjourned.

Messrs. Stanford and Randolph proposed the bill, and Messrs. Macon, Bryan and Barnard opposed it.

A motion made by Mr. Randolph to postpone that subject for one week was negatived 48 to 38.

The following message was received on the 25th ult. and has been referred to Messrs. Blount, Quincy, Burwell, Cook, Riker, Troup, and Witherall.

To the Senate and House of Representatives of the United States.

In proceeding to the execution the act for fortifying our ports and harbors, it is found that the sites most advantageous for the purpose, and sometimes the only sites competent to that defence, are, in some cases, the property of individuals, subject to giving a valid consent to their alienation; in others, belong to persons who may refuse altogether to alienate, or demand a compensation far beyond the liberal justice allowable in such cases. From these causes the defence of our seaboard, so necessary to the general safety, would be materially impaired, and the intended system of defence, so necessary to the general safety, would be defeated, unless a remedy can be applied. With a view to this, I submit the case to the consideration of Congress, who estimating its importance, and reviewing the powers vested in them by the constitution, combined with the amendment providing that private property shall not be taken for the public use, without just compensation, will decide on the course most proper to be pursued.

I am aware that as the consent of the legislature of the state, to the purchase of the site, may not, in some instances, have been previously obtained, exclusive legislation cannot be exercised therein by Congress, until that consent is given. But in the mean time it will be held under the same laws which protect the property of individuals, and other parts of the United States, in the same state; and the legislature, at their next meetings, will have opportunities of doing what will be so evidently called for by the particular interest of their own state.

TH: JEFFERSON.

March 25, 1808.

"To the Senate and House of Representatives of the U. S.

"I transmit to both Houses of Congress a report from the surveyor of public buildings, of the progress made on them during the last season, of their present state, and of that of the funds appropriated to them. Those have been much retarded by the cost of the work done, a fact not known to me till the close of the season: the circumstances from which it was stated in the report of the surveyor.

"TH: JEFFERSON,

"*March 25, 1808.*"

The subjoined resolution has passed both houses of the Legislature of New York by unanimous vote.

IN SENATE,

Albany, March 25, 1808.

Resolved—(If the honorable the assembly concur herein) That this states and representatives of this state, ought to, and do, hereby, in U. S. be required to represent in the most earnest terms to the national government the repeated situation of the state of New York, and the urgent necessity in the present remaining state of our foreign relations of making and applying such appropriation of money as shall be adequate to the protection of that important frontier of the state, and that be further requested to represent the indefinite condition of the state, and danger of their migrating to foreign countries for employment—and the inadequate protection of property, liberty, and policy, which combine to invite and strengthen the situation of meritorious description of citizens, and to crown their services in defence of the country.

Extract of a letter from Leghorn, dated January 20, received by a merchant in New York.

"An embargo was laid in Leghorn on the 1st of January, on all vessels excepting French. The ship Grace, from Boston, was captured and carried into Porto-Ferraio; also Hope from Philadelphia, do. and carried into the Gulph of Spezia; and Betsy Eliza, from Boston, boarded and captured in Leghorn Roads, after coming to anchor, by the French privateers. These vessels were not boarded by any British cruisers so their passage.

"A very active power is fitting out at Toulon for the 17th December, and vessels are seized for having been visited by English cruisers, and decrees could in the nature of things be issued. Two merchantmen were seized and condemned at Marseilles, under this pretext.

"The interruption apprehended in discharging the Vermont did not take place; the whole of the cargo was transported to Leghorn, under bond, by the consul Perry; & the goods generally in full condition, from the long delay.

The legislature of Nova-Scotia, at their late session, passed a vote appropriating *Lodge* to the purchasing a sword or piece of plate, to be presented, in behalf of the province, to admiral Berkeley. Gen. Wentworth returned the vote to the legislature with the following message:

"*Gentlemen of the House of Assembly,*

"Having duly considered the vote communicated to me, for granting one hundred pounds to vice-admiral Berkeley, for a sword or piece of plate; it appears to be objectionable in so many respects, that I feel it my duty to decline giving my assent to it.

"J. WENTWORTH.

"Government House, 28th Jan."

Gov. Wentworth has offered one pounds to masters of vessels for each British seaman they may bring, and 4d. per day for each while on board the vessel.

British vessels at Halifax now find ready freights; 5 or 6 sail every week for the W. Indies.

A letter from St. Sebastian, dated February 25, received in New York, says—" At the present moment great consternation prevails in this province. The French have taken possession of the fortifications of Figueira, a principal Spanish town, and the citadel of Pampelune. Here the Spaniards cry aloud for vengeance. The courier of this morning brings word that the King of Spain has consented to their keeping possession of the citadel of Pampelune, and it is said also that the French are at Barcelona."

New York, April 2.

Letters from France mention, that there was an embargo at Amsterdam in February.

Protection of Aver York—Yesterday a bill, brought in by Mr. Clinton, passed the Senate appropriating 100,000 dollars for the defence of the port of New York—Also providing for the removal of the banks from that city in case of war, or other imminent danger.

A bill has passed both Houses, authorising the corporation of New York to purchase the Manhattan Water Works, and granting to the Manhattan Company their bank privileges for the term of thirty years. The Hudson Bank bill has also passed both Houses; capital of the bank 300,000 dollars.

[COPY.]

To Messrs. Gardner, David Lufin, Samuel Foster, Elias Davis, William Soule, and John Brown, masters of American vessels now lying at Alicante, to the care of P. Portal, vice-consul of the United States at that place.

Madrid, 24th February, 1808.

GENTLEMEN—Your letter of the 23th ult. was duly received by the courier of yesterday. I had been previously informed of the capture of one of your vessels under the Spanish decree of January 5, and had made a similar representation to the Spanish minister. By note upon this subject received yesterday morning, I am authorized to give you my certain assurances as to the issue of your trials by the inferior tribunal of Alicante, and of your appeal, from such tribunals on questions arising under this last decree, has yet been decided by the supreme court of Madrid, for the same reason I cannot feel any great confidence in the result of this appeal, which yet may be made to it in case of condemnation at Alicante. Nevertheless, since obviously the trade of the U. States cannot properly be subjected to the provisions of such decrees, and since the fate of existing treaty, is particularly exempted from them, and since, also, it is not the disposition of the Spanish government (in imitation of whose policy this measure of his Catholic Majesty has been taken) to carry into effect, at the same time, against the property of American citizens, I feel, it is reasonably to be expected, that the Spanish government will also relax, in the strict interpretation of its decrees, and adopt the application of it, which may be observed by its ally. Therefore in case one of your vessels is cargoes should be conducted at Algeciras, I most recommend an appeal to the admiralty court of Madrid, and should become necessary, you would do well to send a copy of the decree, copy, and employ as your agent here, Moses Young, the consul of the United States, who is acquainted with him, & him fully on all the circumstances of your respective cases.

I remain, Gentlemen,

Your obedient servant,

(Signed) GEORGE ERVING,

Philadelphia, March 31.

Capt. Porter of the Indian packet, informs that the evening he sailed from Havana (March 12th) news was received that the Spanish colonies, via Trinidad in Cuba, that a British fleet had arrived at that island and landed 3 thousand men, and that the Spanish, cut off by the French; this was communicated to capt. F. by a respectable merchant of Havana, a few hours before he sailed—How far it is to be depended on time must determine.

CONGRESS.

HOUSE OF REPRESENTATIVES,

FRIDAY, APRIL 1.

The following resolution was received from the Senate:

Resolved, That a committee be appointed to join such committee as the House of Representatives may appoint, on their part to enquire and report what measures are necessary to be taken by Congress the present session, and from it may be expedient to do so the same.

A report yesterday made by the committee on the post office and post roads relative to the transportation by mail of the documents accompanying the President's message, discharging it in suspense, was taken up and negatived; and on motion of Mr. Williams, a resolution was then instructed to report a bill to provide for their transmission.

Mr. *Dana* having called for the reading of the engrossed bill for raising an additional military force,

Mr. *Randolph* said that previous to taking up the engrossed bill it was necessary to recommit the printed bill, which he said, he believed, and which I do still believe to have been of essential importance, and which were crushed in embryo by a refusal to consider them. I then understood the Speaker, who is the fountain of order in this House, that the rule stands thus: that when a member makes a motion, it is the right of any member to require him to reduce it to writing, and to have it read, and if any a previous question becomes necessary—that a question, which so