

The Gazette.

PHILADELPHIA, MONDAY EVENING, July 10.

Appointments by Authority.

William Smith of S. Carolina, minister plenipotentiary to Portugal, vice John Q. Adams removed to Berlin. Thomas Bulkley, consul in Portugal. Richard O'Brien, consul-general with the dey and regency of Algiers. Charles Hall of Pennsylvania, agent for the United States under the law of the present session of Congress, relative to the 6th article of the treaty with G. Britain. Jeremiah Smith, of New Hampshire, to be attorney of the United States for that district, in the room of Edward St. Loe Livermore resigned. William Willis, a native citizen of the United States, to be their consul for the republic of Venice. Frederick H. Wallaston, of a mercantile house established at Genoa to be consul of the United States for that republic. James Leander Cathcart, a citizen of the U. States and many years a prisoner in Algiers to be consul of the United States for the city and kingdom of Tripoli. William Eaton, a native citizen of the United States (a captain in their army in which he has served about eight years) to be consul of the United States for the city and kingdom of Tunis. William Hort to be naval officer for the district of Charleston in South Carolina.

PROMOTIONS and APPOINTMENTS.

Drayton. Stephen G. Simmons, Lieutenant, vice Slough, resigned. Charles Warren, Cornet, vice Ball, promoted. William Sharp, do. vice Sterling, do. First Regiment of Infantry. William H. Harrison, Captain, vice Kingbury, promoted 15th May, 1797. Nicholas Rothenant, Lieutenant, vice Harrison, promoted. John Alexander Davidson, Ensign, vice Nicholas, deceased. Samuel Lane, Ensign, vice Rothenant, promoted. Second Regiment of Infantry. Jacob Kingbury, Major, vice Shaylor, resigned 15th March, 1797. Benjamin Rand, Lieutenant, vice Lee, resigned 15th March. Peter P. Schuyler, Ensign, vice Faulkner, declined. John Whipple, do. vice Martin, promoted. John Vissner Glen, do. vice Rand, do. Third Regiment of Infantry. William R. Boote, Ensign, vice Bodley, resigned. Samuel Parmele, do. vice Sterling, do. Fourth Regiment of Infantry. Benjamin Lockwood, Captain, vice Eaton. John Wallington, Lieutenant, vice Strother, resigned 15th June, 1797. Francis Johnston, Lieutenant, vice Lockwood, promoted. Samuel Crutchfield, Ensign, vice Dold, resigned. John Campbell, do. vice Wallington, promoted. Richard Campbell, do. vice Johnston, do.

Captain Yard late Commander of the ship Asia, came to town last evening. The privateer by whom he was taken is called the Vengeance, the same that captured the ship Golden Age. Capt. Yard thinks she has left the coast. FROM A CORRESPONDENT. THEATRICAL. An Afterpiece from the pen of Mr. Harwood is advertised for the benefit of Mrs. Francis. From our opinion of the versatility of Mr. Harwood's genius, we doubt not but his talents for writing are equal to his abilities as a performer; and the SAVOYARD being the first child of his theatrical muse, will consequently attract a crowd of Gaiety, the exercise of whose taste and liberality will be a source of applause to the author, and of gratification to themselves.

For Amterdam. THE SHIP Four Friends, JOSEPH GLENN, Master. WILL sail with all convenient speed, the greater part of her cargo being ready. For freight or passage apply to the captain on board, or Jesse & Rob. Wain. July 11. dtf

Insurance Company of North America. THE Dividend for the last half year, declared by the Directors this day, is one dollar on each share of the Stock of this Company; which will be paid to the Stockholders, or their representatives duly authorized to receive it, at any time after the 20th inst. EBEN HAZARD, Sec'y. wdt:td

The Subscriber. GIVES notice to all to whom he may be indebted, that he intends to embark for Europe in a few days; and that he will not pay any demands which shall not be presented to him prior to his departure. Wm. SMITH, of South-Carolina. No. 104, Spruce-street. Philadelphia, 11th July. dt

LAILSON'S CIRCUS. On TUESDAY Evening, July 11th, FOR THE BENEFIT OF MR. JAYMOND, Will be performed a variety of New Equestrian Exercises, by Messrs. Langley, Herman, Sully (the Clown) and Lailson. The surprising manoeuvres of the HOULAN, With the carbine and broad sword; after which the scene of the DROCKWART, in the character of MONT-AU-CIEL, by Mr. LAILSON. The PEDESTAL. The evening's entertainment to conclude by a first representation of a Heroic Automime in three acts, called Dorothea; or, The Strength of Love and Maternal Tenderness. Which will be preceded by Les Preux Chevaliers.

NEW THEATRE. Last Night but one! Mrs FRANCIS's Night. On WEDNESDAY Evening, July 12, will be presented (not acted these two years) a COMEDY, called THE RIVALS. To which will be added, a Muffled Farce (never performed) called, THE SAVOYARD; Or, The Repentant Seducer.

and whether the only mode in which he could be prosecuted was by impeachment. He wished to know this that he might regulate his proceedings accordingly. He wished the business to be gone into as fully as possible; and he trusted that this mode of impeachment was not thrown upon them in order to prevent the bringing of the subject before a court of justice, and by that means suppress the inquiry which he wished to prosecute. He thought an investigation of the plot was of far greater consequence than the impeachment and disqualification of an individual. If the prosecution and the inquiry were to go on together, it would be well; but he wished to know whether, if they entered upon the impeachment, it was the design to drop every other mode of proceeding.

Mr. McDOWELL hoped the committee would not rise for the purpose of proving the handwriting of Mr. Blount. He was acquainted with his writing, and believed it to be his. As he had this belief, he wished to come to a determination as soon as possible. He thought the design a very criminal one, as it went not only to destroy the peace and happiness of this country, but also of others. He trusted, therefore, that they should take such steps as should prevent foreign ministers in future from engaging persons to carry into effect views of this kind.

Mr. HARPER wished the committee to rise. If the gentleman from Pennsylvania had known any thing of the law, he must have known, that the courts of justice were wholly inadequate to the inquiries he had mentioned. He did not believe this offence was punishable in any other way than by impeachment. Mr. H. said it was at present unnecessary to say any thing about any other persons being implicated in this business; he believed gentlemen might as well spare their insinuations until they were better acquainted with the subject. He believed when they had read the papers, gentlemen would be convinced the charges brought against the British minister were unfounded.

Mr. BROOKES wished to know whether they could proceed to impeach a man if he were not present.

Mr. DANA said, when this subject was under debate with closed doors, the secretary of state was present, and when it was doubted whether the publication of these papers might impede the prosecution of an inquiry into the business, they were informed by him that such steps were taken as that the publication of the papers could not have a bad effect.

The committee rose, and obtained leave to sit again.

It was proposed that the Speaker should proceed to take evidence as to the handwriting of the letter of William Blount.

The SPEAKER suggested the propriety of calling in a magistrate, as he had no power to administer an oath, except in the case of qualifying the members of that house.

Mr. LYON moved that the Speaker be authorized to administer an oath on this occasion.

The question was put and negatived 53 to 29.

Judge KEENE, in the mean time coming into the house, a motion was made and carried, that he be requested to administer the oath to Messrs. Macon, McDowell, Grove, and Baldwin, which was accordingly done, and they gave their testimony as to the reality of the handwriting as stated yesterday.

FRIDAY, JULY 7.

Mr. D. FOSTER moved a resolution for an adjournment on Monday.

Mr. HAVENS moved to amend the resolution by inserting Saturday.

This amendment, after some conversation, was negatived 50 to 23, and the original motion was carried without a division.

The order of the day was moved on the bill for the relief of major Thomas Lewis. The house went into a committee on the subject, and reported the bill without amendment. It was ordered to be engrossed for a third reading, which it afterwards received and passed.

Mr. SITGREAVES moved to go into a committee of the whole on the report of the committee on the confidential communication of the President of the United States on Monday last.

The Speaker said, before the house went into a committee of the whole on this subject, he would read a letter which he had just received. He read a letter from Thomas Blount, requesting to be excused from voting on the question which so nearly concerned his brother.

He was excused. The house then went into a committee of the whole on the resolution yesterday reported, proposing an impeachment of William Blount, when it was agreed to without debate or division. The house took up the resolution, and also agreed to it in the same way.

Mr. SITGREAVES moved, "that a member go to the Senate, and at the bar of that house impeach William Blount, in the name of this house; and of all the people of the United States; and to inform them that they will, in due time, exhibit articles of impeachment against him, and make good the same."

Mr. GALLATIN said, he was not well acquainted with the business; but he did not think it would be right to go on and impeach at once, before they saw what articles of impeachment were to be preferred. He thought it would be best first to appoint a committee to prepare the articles of impeachment, and present them to the Senate, at the same time that they sent them their determination to impeach.

Mr. SITGREAVES said, that the mode which he proposed, was the same which was practised in the case of Mr. Hastings. Mr. Burke went up to the house of Lords and impeached him in words similar to those now proposed to be used. Some time afterwards the articles of impeachment having been drawn, Mr. Burke again went up to the house of Lords and exhibited them. Mr.

S. spoke also of a work lately published, in continuation of Judge Blackstone's Commentaries, which had a chapter on parliamentary impeachment, and pointed out this as the proper mode of procedure. He had also looked into the proceedings on the trial of the earl of Macclesfield, and found the same course was taken. It was true, that in the case of a public officer of the state of Pennsylvania, which perhaps his colleague might have in his eye, the articles of impeachment were exhibited at the same time that the impeachment was made.

Mr. S. thought, however, that there was a good reason for not doing more at this time. If a Committee were to be appointed to prepare the specific charges against Mr. Blount, it would create considerable delay, and it would be proper that immediate measures should be taken, in order to secure the person of Mr. Blount. Besides, at present, the only evidence of this mysterious business, was the letter of Mr. Blount. Measures were taken to procure further evidence; but it could not be got till some time hence. When this was got, it might considerably develop the plot. At present, every thing, was conjecture. In every point of view, therefore, he thought it would be best to observe the usual mode of proceeding in similar cases.

Mr. GALLATIN said, if his memory was right, all the specific charges brought against Warren Hastings, were first agreed to by the House of Commons, before impeachment was made.

There was one thing, however, fell from his colleague, which would seem to make the mode proposed desirable. Mr. G. said he had considered the question which had been agreed to as a mere question of form, and that they should have gone on to exhibit articles of impeachment; but it appeared from what had fallen from his colleague, that the articles of impeachment were not intended to be exhibited till next session. If this were the case, he thought it would be perfectly right in wishing to prevent the impeachment in general terms. Till now he thought it had been the intention to have gone further.

Mr. HARPER believed it would not be proper for the House to stop in the present stage of their proceeding. He thought the proper mode of doing the business was that recommended by Mr. Sitgreaves. Having come to a resolution to impeach, the Senate should be immediately informed thereof, as they could then take measures accordingly. It was not necessary at the same time to exhibit the particular charges. They might afterwards determine whether they would exhibit the specific articles of charge during this session, or at the next. He thought the charge might now be made; and if any additional facts appeared before the next session, which might make additional charges necessary, they might then be made.

Mr. SITGREAVES believed his colleague might be right with respect to what took place on the trial of Mr. Hastings. He had not the particulars of the parliamentary proceedings on that business before him. He had those in the case of the Earl of Macclesfield, which were as he had stated. All that he contended for was, that having taken the resolution to impeach, it became necessary, of course, that the resolution should be communicated to the Senate. In no instance had the articles of impeachment attended the oral communication. After it had been made, the House could determine whether the specific articles should be drawn now, or at the next session.

Mr. GORDON said, there might be different modes adopted in cases where the persons accused were not members of the Legislature. In the case of lord Strafford, he recollected, that in half an hour after the vote passed resolving to impeach him, he was taken into execution.

The question was put and carried without a division.

Mr. SITGREAVES proposed also the following: "That the said member do demand that the said William Blount be sequestered from his seat in the Senate, and that they take order for his appearance to answer to the charges which shall be exhibited against him."

Mr. VENABLE thought they had gone far enough, and that they should leave it to the Senate to take such measures as they should think proper with respect to displacing their member from his seat. If the resolution were, however, adopted, he wished the word suspended might be used rather than sequestered.

Mr. SITGREAVES thought the word synonymous. He had used sequestered, because he found the word used in the books.

Mr. HARPER thought the motion right in substance; for though the Senate had the power of displacing their member from his seat; yet the taking order for his appearance to answer the charges brought against him, should be done from the application of the prosecutor, as in ordinary cases.

Mr. SEWALL thought that each House was the best judge of the conduct of its own members, and to require the sequestration of Mr. Blount from his seat was not necessary. He believed the Senate were at that moment taking measures for expelling him from his seat, any interference of theirs on that subject was therefore wholly unnecessary.

Mr. NICHOLAS was of opinion that in following too closely the practice of Great Britain with respect to impeachment, they should be lead astray, as the punishment consequent upon the conviction of an offender was very different in the two countries. In Britain, an offence might reach the life of a person, whereas in this country, the extent of the punishment, was removal from office, and disqualification for the future. For his own part, therefore, he did not see any occasion for confinement of the person, except it were necessary to examine him by interrogatory.

Mr. HARPER said it was certainly necessary to secure the person of the offender, otherwise he could not be brought to trial; since it was a maxim never to be departed from that a person could not be tried in his absence. Mr. SITGREAVES was of the same opinion.

Mr. VENABLE agreed with Mr. Nicholas, that the difference of punishment consequent upon trials by impeachment was not sufficiently attended to. He did not think that the doctrine was founded, that a man could not be tried in his absence. It would be an unfortunate conclusion, that effectual process could not be had against a man because he was absent.

Mr. KITTEBA said the gentleman last up was certainly mistaken in saying that a man might be tried in his absence. He thought it would be best to pursue the usual mode on similar occasions.

Mr. GORDON insisted upon the right which that house had to require the Senate to sequester Mr. Blount from his seat, and that they should hold him to answer the charges to be exhibited against him. If this were not the case an offender might go on to execute his purposes to the great injury of the country, before he was expelled from his seat or held to bail.

Mr. SEWALL had no idea that it was necessary to sequester Mr. Blount from his seat in order to hold him to appear to the charges to be exhibited against him; though he conceived it necessary to hold him to bail, as no trial could take place except he was present.

This proposition was put and carried 41 to 30.

Mr. SITGREAVES was appointed to wait upon the Senate, to carry into effect the above proposition.

The Speaker read a note which he had received from a member of the Senate informing him that seats were prepared for the reception of the members of that house, in case they chose to attend the business then before the Senate (which was the question for expelling Mr. Blount from his seat, proposed by the counsel of Mr. Blount, viz. Messrs. Dallas and Ingersoll.)

Mr. DENT moved that when the house adjourn, it adjourn till two o'clock. Agreed, and the house adjourned about 12 o'clock, and attended the Senate.

At two o'clock the house resumed its sitting; and after Mr. Sitgreaves had made a report of his commission to the Senate, the house resolved itself into a committee of the whole on Algerine business, and the galleries were closed for the remainder of the sitting.

SATURDAY, JULY 8.

A message was received from the Senate, informing the house that they had agreed to their amendment to the appropriation bill; and that they had in consequence of their impeachment of William Blount, a Senator of the United States, proceeded to hold him to bail to appear to the charges to be exhibited against him, himself in 20,000 dollars, and two sureties each in 15,000 dollars.

By messages from the President of the United States to the two houses it appears that he has approved and signed the act for laying a stamp duty on parchment, vellum and paper; also the act allowing full mileage to the members of the two houses; the act concerning consuls and vice-consuls; and the act to continue in force an act authorizing the transfer of the stock standing to the credit of certain states.

On motion of Mr. Macon, the committee of the whole to whom was referred the bill authorizing the President of the United States during the recess of Congress, to provide armed galleys, was discharged.

Mr. HARPER said it would be recollected that he had laid two resolutions on the table relative to the securing of live oak timber, &c. From the press of business, which had been continually before the house, he had not had an opportunity of calling them up; and the session being now too far advanced, he gave notice that he should bring forward the subject early in the next session.

Mr. HOLMES said that he thought it necessary, in order to enforce a general compliance with the laws of the United States, that they should be printed in the German language, as well as in the English, since there were very many of the inhabitants of this country who could read no other. He therefore proposed a resolution to the following effect:

Resolved by the Senate and House of Representatives of the United States, that a number of copies of the laws of this session, not exceeding 8,000 copies, shall be printed in the German language, and distributed by the Secretary of State among the Executives of the several states, for the information of the German inhabitants of each state respectively.

Mr. LYON thought it would be proper to pass a resolution of this kind. He did not know what number might be necessary. He also thought that some measures should be taken for a general publication of their laws in the English language; at present, it was merely by chance if the people in his district came to a knowledge of them. He thought all laws of general import should be inserted in every newspaper throughout the Union.

Mr. COIT said, if they were to promulge their laws in the German language, it would be necessary that they should all become critically acquainted with it, for, if they were to authorize any translation, great mischiefs would arise from its not being correct.

Mr. GALLATIN said, that the weight of the objections urged by the gentlemen last up had always been thought sufficient in the Legislature of Pennsylvania, in which state there was a greater proportion of Germans than in any other. There was also another objection to the measure. If it were to be passed, it must be accompanied with an appropriation law which the advanced state of the session would not admit.

The resolution was put and negatived. Mr. SITGREAVES proposed the following resolution to the house:

Resolved, that a committee be appointed to prepare and report articles of impeachment against William Blount, a Senator of the United States impeached by this house of High Crimes and Misdemeanors, and that the same Committee have power to sit during the recess of Congress, and to send for persons, papers and records."

Mr. GALLATIN wished a division of the resolution at the word misdemeanors.

The first part was then put and carried. Mr. GALLATIN desired the determination on the second part to be postponed till Monday. It was a new subject, and he wished a little time to consider of it. The committee he supposed could in the mean time be appointed.

Mr. BROOKES enquired whether the latter part of the resolution for sending for persons, papers and records, should not be connected with the first part of the resolution.

Mr. VENABLE said the gentleman last up might be accommodated by adding the words in question; and if, before they adjourned, it was found necessary that the committee should have power to sit during the recess, that power could be given to them.

Mr. SITGREAVES did not think it would be proper to pass one part of the resolution without the other. The house had resolved to adjourn on Monday, and there was little doubt that the other branch of the legislature would agree to it. If the committee should be appointed to report articles of impeachment at this session, it would be found that it would require more time than he believed Congress would be inclined to give to it: for if prepared, they must also be exhibited; and if exhibited the Senate would think it necessary to proceed to act upon them. In this view of the subject, great advantage might arise from the committee having leisure to pursue enquiry into the plan, so as to develop the mischief during the recess of Congress.

Mr. VENABLE said the object of gentlemen seemed to be mistaken. They wished merely to have a little time to consider of the subject. He had doubts whether it was in the power of the house to authorize a committee to sit during the recess.

Mr. SITGREAVES did not wish to hurry the business.

Mr. RUTLEDGE had no objection to deferring the vote till Monday; but he thought it absolutely necessary to empower the committee to sit during the recess. This was according to British precedent. It was the plan also upon which two different impeachments had been conducted in the State of South Carolina. He thought the reason in this case very strong; the object was not only to bring the charge home to the person impeached, but to bring forward all the persons concerned in this plot. Indeed the articles of impeachment must be founded, in a great measure, on information which was to be discovered by this investigation. He trusted, therefore that this power would be given.

Mr. GALLATIN said he was in no want of precedent on this occasion. He was a member of a committee of impeachment in the state of Pennsylvania, where similar measures were adopted; but he was of opinion that this business had been already too much hurried, and that some of the steps taken would have been better taken, if they had had more time. He wished, therefore, to consider upon this proposition till Monday. Gentlemen who brought forward the measure were doubtless ready to vote for it; but he trusted they would allow others a little time.

Mr. McDOWELL wished a committee to be immediately appointed, and the charges made, because there might be at present persons in the city, who could not be examined during the recess of Congress.

The words "to send for persons, papers and records," were to be added to the former part of the resolution, and the latter part was postponed till Monday.

Messrs. Sitgreaves, Baldwin, Dawson, Dana and Harper were appointed a committee for preparing the articles of impeachment.

Mr. HARPER said, that though he did not intend to bring forward the subject of purchasing timber, and providing naval yards this session, he wished the house to enter into a resolution which he thought would be proper in the mean time. He offered one to the following effect:

Resolved that the President of the United States be requested to prosecute and cause to be laid before this house, early in the next session, information respecting such land furnished with live oak timber, as may be purchased for the use of the United States, and also of such timber as may be purchased without the land, and also respecting proper sites for naval yards, and to state the probable expence of such land and timber, and of proper sites for naval yards."

This resolution was supported by the mover and Mr. Swanwick, and opposed by Messrs. Macon, J. Williams, and McDowell; and without taking a question, the house being very thin, a motion was made and carried about one o'clock to adjourn.

Monday, July 10, 1797.

A message was received from the Senate informing the house that had been done with respect to their resolution for an adjournment of the two Houses this day; and that they had postponed the consideration of the bill for the relief of Major Lewis till next session.

On motion of Mr. Dent, a committee was appointed to wait upon the President of the United States, in conjunction with a like committee from the Senate, to inform him the two houses were about to adjourn. The committee waited upon the President accordingly, and reported his acquiescence, and his good wishes for the safe arrival of the members at their several homes.

On motion of Mr. Sitgreaves, the resolution entered into some time ago, calling upon the President for an account of the quantity of arms in the possession of the United States, and at what places they were lodged, was suspended.

Mr. Sitgreaves said he wished to make a report upon a subject which would require the galleries to be cleared; they continued until the House adjourned to the second Monday in November.