to the same committee who reported, if he ! did, he could expect no other report, because it was an opinion which they had given, and it was improbable they would change that

opinion.

Mr. Nicholas believed that as the committee had given their opinion on the buti-nels, if the House disapproved of that opimion, the only way to express it was by recommitting the report, either to the same committee or to some other. For himself, he objected to every opinion the committee had given, but particularly to that on the file of the address of Mr. Randolph.

He should go on and state his ideas at large, and the reasons why the house ought

not to act on the present report.

The house and committee appeared to possess but one opinion upon one of the points, that was, to procure every information re-fpecking the nature of the intended infult upon one of its members, connected with his department in the house, for the purpose of bringing on a quarrel.—It was upanimoufly determined to examine it, and therewas no doubt of the propriety of that mea-fure, and the fitness of the matter alledged

for the house totact upon.

In his mind, Mr. Nicholas faid, there could not be a more clear and necessary principle established than I but a clear and apparent intention of bringing on a quarrel with one of the wembers of that House, on account of his public conduct, was an infringement of the rights und privileges of the house. It was a proper and right labject of enquiry, for if gentlemen were obliged to engage in defence of what they faid in the

Mr. Nicholas here read the report. In his opinion, Mr. N. faid the decision

of the committee on the fuhject, thought it was not a positive devial of the principle which they and the house had before admitted, which the house acced upon, and which was essential to the freedom of debace. was effential to the freedom of debate-that decision went to destroy the whole principle. He confessed that the acts in themselves

were of a nature fufficient, provided the in-tention was not explained away by contradictory testimony to constitute the crime.

It became, therefore the question, as to the intention, and he supposed it was upon that question the committee had reported "a fatisfactory explanation," respecting some part of the charge, " and others appeared to them to be of too equivocal a nature to justice and the charge," tify reprehension and punishment."
Mr. Christie was in a fituation to collect

ore of the conversation and conduct of these officers than any other person, except Mr. Van Ranselaer, whose deposition had not been taken: he said that from the conduct of these officers, he was determined to remain at the theatre, though he before intended to have gone out; to prevent if pos-fible any diffurbances. Their kind of con-versation shewed the most manifest and indubitable evidence of intention to infult Mr. Randolph, for talking of the men on the flage, one faid "these raggamussins are not Pennsylvanians, they are black Virginians." Certainly this might with propriety be sup-posed to refer to gentlemen from that state, and could not be confidered a spontaneous groundless affertion-again, after " repeatng the words raggamuffin and mercenary" they faid "they were not well drilled, but would be better by next session of Congress" how could this have come into the conversation, except in alluding to a member of Congress, and what was faid in the house connecting both together ? It was in claration made to the world that though general necessary to prevent witnesses giving their opinions respecting circumstances they might relate, but it was impossible to repress it here, all the witnesses expressed an opinion, and it was generally thought there was an intention of infult towards Mr. Randolph, and to produce with him an actual quarrel. This kept Mr. Christic at the theatre, and he appeared to have good grounds for his apprehension.

Another, and a substantial objection Mr. Nieholas said he had to the report was. that Mr. Randolph's flatement flood exact-

person but himself was present, would his own testimony be rejected, and he be denied justice on that account? He should have supposed there were gentlemen of sufficient legal knowledge on the committee to know that his own disposition was not inadmissible, but very proper. Mr. Randolph's competence was clear, and he was a respectable witness. There never was a case in which the credulity of a gentleman was lefs liable to question than in this, for Mr. Randolph was very unwilling to bring forward the bufinefs, and had throughout evinced a reluctance. Mr. Randolph's testimony was extremely necessary and important, because the principal facts of outrage were only known to himfelf.

If there was no other objection to the report, this was a material one

Mr. Randolph had stated himself to have " had a fudden and violent pull by the cape of the coat" Mr. Nicholfon heard Mr. Randolph call out " who was that jerked my coat" and faw Mr. M'Knight at the moment before throw himself forward with one arm extended. In order to a proper under-flanding of the concomitant evidence, Mr. Randolph's affidavit was therefore effentially necessary, but as it had not been taken, Mr.

Nicholas faid he could not go into it.

Mr. Nicholas then afked wherein thefe circumstances were " satisfactorily explained" as the committee had been pleafed to fay. How were they explained? He declared himself perfectly at a loss to know, except it might have been in the statements of Mr. Reynolds and Mr. M. Knight!

Not knowing of any explanation, he ! should be obliged to go through the testi-

He read Mr. M'Knight's statement .-There was not a denial, he faid, of a fingle fact charged. It was perfectly conformable. His not knowing Mr. Randolph, his not having known he was to be at the theatre, could not prove him innocent of the inten-tion and act. Indeed he had proved fomething of a combination. He had stated him-Ragamuffin and Mercenary. It certainly proved that though he flated himself to have

hought went to prove the teftimony as apdolph was pointed out to him. After that, dolph's ardency for reducing the army, they it appeared from other tertimony, Mr. Rey- possessing much zeal for their profession-fornolds went into the box where Mr. Ran- thefe reasons he was willing that the House

them. These statements, Mr. Nicholas the committee, on which account he wished thought, were good evidence of their inten- the report might be recommitted, and not go tion, and of the reality and application of the out to the world in this very exceptionable infult, though they denied the facts of infult. Thape. or intention. What elfe could be expected?

Lieutenant Thomson's declaration only houle, out of doors, it was the same as though they were to experie themselves to personal violence and attack, and no less mischievous. In his idea it was a recessary preservative to freedom of debate, and secutions are the same as t went to prove that he knew of no infult givvidence amounted to nothing.

Mr. Hurst proved nothing more than Mr. Reynolds had declared, and consequently his evidence was useless, except it was that Mr. Raudolph was pointed out to them by

Some gentlemen. Capt. Taylor's testimony shewed nothing, but that at leaving the box Mr. M'Knight made an effort, which he supposed was in consequence of a desire to get forward. This gentleman further faid there was no concert to infulc Mr. Randolph, and that he faw no infult given to him.

One thing Mr. Nicholas faid he would here observe, that the evidence of gentlemen in the fame company was not competent. They could have refused to answer any question at all, lest they night implicate themselves, and therefore the only evidence to be expected from them was negative, and as they had answered by negative testimony only, it amounted to nothing. If they had proved there was a concert to infult Mr. Randolph, every one of the fame party would be alike amenable, and therefore their testimony was inadmissible, for it could not be expected that they would criminate themselves. But in neither of the depositions of lieutenant Thomson nor captain Taylor, nor either of the statements was there admial of the frequent repetition of the words. of the frequent repetition of the words, nor a proof that they were not intended to infult Mr. Randolph.

What, Mr. Nicholas asked, would be the effect of fuch decisions as the committee had made?—Here was an apparent infult; fuch as impressed that opinion on the bye standers. How did the committee get over it? Why, by faying that of the tedimony, fome parts | the eath of fidelity to the King of Sardinia re equivocal, and other parts were explained to their fatisfaction .- How explained? He repeated it could be only by the per-fons themselves! The effect would be a dethe Houfe had the privilege of debate, yet if any perion infringed upon, and violated that privilege, all he had to do was to exolain away the criminal intention, to give his conduct a different direction, and he thould be clear.

Where then would be the security and in-violability of debate? Should a gentleman for what he thought his duty forced him to Tay in the house, be exposed to public infult and abuse? Such a dangerous principle would not meet support.

Farther. Mr. Nicholas observed with Iy upon the fame ground with those of Mr. Reynolds and Mr. M. Knight.

Was he not a competent witness; suppose he had been infulted or ill used when no fulted should be treated by the committee fulted fhould be treated by the committee with the greatest severity. In two instances they had paffed a centure on his conduct though they had fo flightly looked over the faults of those who insulted him.

The committee had first thought themfelves at liberty to centure Mr. Randolph's file. With respect to this, Mr. Nicholas faid he knew of no particular stile or form in vi, which was determined upon for the purwhich man was obliged to write to man, pose of adding a a very confiderable force to Men had different modes of address to the the army, confirmed fill more this opinior. Prefident: fome who wanted offices might think one stile the most proper, others who were used to familiar intercourse with him would use another, there was no standard. Mr. Nieholas said he believed Mr. Randolph had used the fule he always did, and which shift column marched from Savigliano by vas most familiar to him.

Again, Mr. Randolph was cenfured for applying to the President, and not to the House, for redress.—This was strange doctrine. Suppose these gentlemen had gone farther, and been guilty of assault and battery, would not Mr. Randolph have then been obliged to appeal to the civil authority. But when he had been infulted, and by fome of the Military, he thought it most proper to apply to the head of the military, who could correct the diforderly conduct of those under his command. The President himself had acknowledged his cognizance of it in one respect, and faid he had directed the proper authorities to examine into it. Could any thing be more clear, than that he tho't it was a proper appeal? But in fuch parts as related to a breach of privilege, he thought the House had cognizance of it.

could be done by other parts of the govern-ment; all needlary applie treas were imput-dent, inablanch as it might tend to diffurb the peace of the House. But it was a little firians. The two columns immediately proextraordinary, that the committee who decided against the charge, should have made it a ferious cause of reprehension, because it was not brought to them in the first instance. He could not help shinking it an instance of the pursuance of the enemy: General Estimate of a letter from on board one of his Majery's ships, dated off Brest, November talo. The column of General Gottersheim repulsed the French from Fostano to Murazing and found our enemies completely inactive.

pied to the infult. He laid that Mr. Ran- their corps materially injured by Mr. Randolph was, and suddenly dropped down with should forbear to ast upon it, and be fatisfied violence by that gentleman's fide. with its having been brought up, in hopes By the acknowledgment of one of them that it would not be without its good effects. But he was not willing any unjust implication the many," were frequently used by

## Important.

of this city. The following are extracts from them, and we are pleased to find that bey confirm in the fullest manner the recent

GLORIOUS INTELLIGENCE.

FROM THE LONDON GAZETTE, EXTRAORDINARY.

Downing Street, November 18.

Dispatches, of which the following are copies, have been received this day from the Right Honorable Lord William Bendinek by the Right Honorable Lord Grenville, his Majesty's Principal Secretary of State for the Foreifin Department.

Head Quarters, Montenaux, Oct. 26, '99.

My Lord, I have the honor to inform your Lordhip, that a report was this morning received by General Melas from General Kamczai, (who commanded a corps of 6000 met near Novi to observe the chief débouché from Genoa) stating that he had been attacked by very superior numbers of the enemy, an after a very severe engagement, had been obliged to retire with considerable loss to Alexandria, where he had taken up a position behind the Boamida. General Kray marched this morning with a considerable reinforcement, and I hope will arrive time enough to prevent the enemy from making any fur-ther progress. A resolution has been taken on the part of the commander in chief immediately to embody the Piedmentele army; nade fubject to Austrian discipline. The Piedmontese troops that are employed have behaved upon all occasions in the most gallant and honorable manner. Valt numbers of deferters come in daily, who all deferibe the diffress of the enemy, for want of provilions, to be extreme.

W. BENTINCK.

Head Quarters, Contalo, Nov. 6, '99.

In my last letter I had the honor of acquainting your Lordthip, that in confequence of information having been received that a large detachment of the enemy was coming from the fide of Savoy, the army made a movement to its right. The French having taken Pignerol and Susa, and having advanced to Salucco, threatening our commu-nication with Turin, General Melas thought it necessary to march still farther to his ri ht much as they are calculated to fruitrate the and a camp was chosen between Bra and

These operations, when connected with the fyshem of defence only, upan which this army had so long been acting, deceived the not now be capable of maintaining them French into a belief that the Austrians were in full retreat. The evacuation of Mondo Elated with these hopes, they advanced on all points, and on the 3d took possession of

On the 4th the enemr marched in three columns to attack the Austrian army. The remains due. Marenne, the second by Genola, and the third marched to the attack of Fossano, ame roads. Lieutenant-General Oce commanded the right column. Lieutenant-General Elfnitz the centre, and Major-General Gottersheim the left. The two armies net at Marenne and Genola. It was not ill after a very fevere engagement that Geneal Ott obliged the enemy to fall back from Marenne: a part retired to Genola, and a part to Savigliano. General Ott purfued the enemy to the latter place, where he took three cannon and above 1000 priloners. The column of General Elfnitz, that was defined

provocation, and the reality of the infule; over which there was no bridge. Early in been fo much engaged in the hort time after his return, yet he must have procured that lege on a member of the House in his offi-knowledge somewhere before he went to the ctal capacity. Yet, as no injury had been The enemy, surprised, made no resistance. cial capacity. Yer, as no injury had been The enemy, surprised, made no relissance, suffained—as this was the first instance of and two hundred prisoners were taken with-Mr. Reynolds' statement, Mr. Nicholas the kird, and as those officers were young, out any loss. It appears that the French ought went to prove the testimony as ap- and might have confidered thems lives and army was completely defeated, and that this division was left there without orders.

The Austrians have made in two days above 3000 prifeners. The army being extremely fatigued remained at Ronchi; but this morning, gen. Melas having determined to follow up his success with the greatest vigor, the army marched in two columns, on upon the intrenched camp of the Madana de Almo, and the other upon Cafaglia; the enemy retreated every where upon our approach; it is reported that the French are retiring over the mountains. It is impuffi-ble to do justice to the volour and perfeverance of the Austrian army. The operations of the army prior and subsequent co this affair, when confidered in a military point of view, entitle the commander in chief to the admiration of the whole world.

Accounts were received yesterday from General Kray, that he had attacked the enemy near Alexandria, oad obliged them to retire to Pozzolo Formigoio, with the lofs of 1000 prifoners.

I have the honor to be, &c. W. BENTINCK.

LONDON, November 30.

The Extraordinary Gazette, in our paper of this day, contains the pleasing account of the enemy having been defeated in Italy on the 4th, 5th, and 6th inst, in actions of great severity with the Imperial army.—

There is very little mantion made of the hostile operations in this quarter previous to the first of those days, when, according to their own official details, the French obtained several advantages, and possessed them-felves of Pigneral, Suza, Saluzzo, Savig-liano. and Mondovi. These facts are however, admitted in general terms by Lord William Bentinck, the writer of the gazette statement, who says, that the evacuation of ting off the communication between the position of general Melas and the city of Turin. In this movement they were promptly met by three columns of the Austrian army. A desperate consist ensured for some time doubtful; but in the end the French account of these actions says that Three Harrhy of Mr. these troops are to be placed in every respect the Imperialis, availing themselves of upon their antient footing; they are to take the superiority of their forces, attempted their opponents was very confiderable." Thus we find that the French on this occafion did not claim the victory; and, every circumstance considered, there is no room to suspect that the account of Lord Wilam Bentinck is not perfectly accurate.

On the 5th and 6th (of the proceedings successes, and the French are supposed have retreated over the mountains with the hofs of 3000 men made prifuners. The enemy were at the fame time attacked by gene-General Karaczai) near Aleffandria, and forced to retire to Pozzola Formigoio, with the lofs of 1000 prisoners .- These advant ges must be considered as of the highel importance to the cause of the allies, inafplans of the enemy for the remainder of th campaign, if not to enable the Imperialits to drive them entirely from the Italian terfelves in the country of G noa, and the ur diffurbed investment of Coui, the only Rie montele fortrels that remains in their hands is expected immediately to take place. Th army of Pielmont is forthwith co be embe died for the fervice of its own fovereign, who, it is thought, is about to return to his apital of Turin.

The Hamburgh mail of Wednefday still fays, in his Cariolanus-

A letter from Berlin, dated the 8th inft. fays, " Every thing here feems to have changed its face. Our troops ready to pass the which had been put in a state of desence, and Rhine on the one part, and the appearances was occupied by a considerable garrison. It happened that the Austrian army moved with fix months we should sake an active part in the same intent, at the same time, and in the coalition against France; or that at least the same number of columns, and upon the our Cabinet would be sereed to declare itself against the republic. At present, however, our Cabinet is more discontent than ever with that of Vienna ever since it lear ed the articles of peace made at Balle between France and the Emperor, in which Prussa is treated with little ceremony. The Baron Jacob Kiest is set out for his destination. He is to have a conference with Barthelimi, the Ex-French Dir clos, who is now at Hamburgh, and it is faid that he is to invite him to come and refide at Berlin." The Ruffion troops now at Jerfey, it is

for the attack of Genola, met with a much | faid, are intended to form a corps which is

Mr. Nicholas thought it was very wrong | more formidable refullance. The action to make a descent on the coast of France, to trouble the Foule with any thing that I fled for feveral hours, and it was not till In this cafe, we doubt not but that they

he had forgotten one material fact, How came he to know of the use of the telms and desired and desire counted fifteen of the French ships dreffed with flags, as if they had obtained some great victory; but having brought too a fishing boat, the people informed us that BUONAPARTE had overthrown the Directory, had taken on himself the Executive Government to the great joy of the people throughout France, and that he promifed them peace with Europe. The batteries have not lately fired upon us. The fisher-men tell us the troops are all gone against the Chouans, who last week stormed Quimper, and liberated the prisoners. The sea-men are doing garrison duty, and the Span-iards are in the town of Brest. This our own observation confirms, as we have not seen a soldier in a battery this day. They add, that the feamen are not paid, and that they defert very falt."

> Thursday, November 28. Government received advices yester-

day from the coast of Brittany of the whole of the troops having been marched from Breft and in its neighbourhood to act against the Chouans, who have of late confiderably increased in number, and who, according to private letters, proceeded last week against Quimper, and liberated a number of Royalist prifoners from that place. We also underftand that the Republican army in that quarter is much divided on the subject of the late Revolution, and that a formidable spirit of disaffection has begun to manifest itself against the new order of things. The combined Fleets in the harbour of Breft are in a ftate of complete inactivity, and the batteries on shore are entirely manned with the failors. As far as the fentiments of the people can be collected, a very general werfion to the Confulate prevails, and fo great is the dread entertained by the despotic Triumvirate of the just resent-Mondovi was a measure of prudence on the ment of the multitude, that they never, part of the Austrians, for the purpose of strengthening their main body. Deceived by the movements of the Imperialists, and by the movements of the Imperialits, and elated by their former successes, the enemy advanced on the 4th, with a view of cutthat the fource from whence this Intelligence is derived, is virulently Jacobinical.

> It was last night reported, that a defperate battle had taken place between the Archduke CHARLES and General Mas-SENA, of the refult of which, however,

Three Hamburgh Mails remained due when this Paper went to press. The cause of this delay we believe to be, that lican divisions took positions at Centalo, the whole of the packets, till within Murazzo, and Ronchi; and that the loss of these sew days were detained in Tarmouth Roads.

Whether the three Confuls are to form a part of the new constitution of France is a circumstance not yet known, we believe, even to Sieyes. From what of which days the French fertaments make has been fo repeatedly faid by the de-no memi r) Gen rd Meles followed up his claimers of his party, of the necessity of preferving an unity of action in the executive government, it may reasonably be inferred, however, that fomething al Kray (who was fent to the affiftance of like this is in contemplation. In theory at least it appears plausible, that an Executive of three persons is preserable to one of five, inafinuch as a majority of two to one is likely to be more potential than a majority of three to two. If we refer to experience, we shall find, that of the three revolutions in the Directory which have occurred within two years, two of them have been actually carried in favor of the minority!

The new appointment of Confuls in France is a poor affectation of terms taken from the Roman republic. The name, however, is not the most auspicious. Our Shakespeare very pointedly

> "They have chosen a Conful that will take from them their liberties !"

The favages of Louisiana, fays Montesquieu, when they are anxious for food, first cut down a tree, and ther gather the fruits. Such, adds he, is the nature of despotic government, which is always destroying its own resources and Inpports. The new Confuls of France, under a regime not very different, have completely deffroyed the tree of repre-Centation, on which their new constitution refled for support. What fruits they are to gather from its overthrow, it must remain for suture events to de-