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FOR THE NATIONAL INTELLIGENCER.

MR. SMITH,

Having noticed with some degree of displeasure a statement said to have emanated from a Bye-Stander of parts of Evidence given by me before the Military Court in the case of General *Wilkinson*, I should not only deem it repugnant to every principle of equity and honor to become the passive instrument of an *impression* to the prejudice of the honorable Daniel Clark when wholly unacquainted with any *circumstance* in the slightest degree relative to the affair in issue between him and the General, or of any incident calculated to establish the charge of co-operation with col. Burr, or fact going to shew a connexion between them in the evil designs ascribed to the latter gentleman; but I should conceive it offending against the impulse which actuates all my actions were I not to notice what appears materially to concern myself. This stenographist of mutilated testimony in his selection of expressions, seems to imply that I had heretofore been desirous of concealing an avowed and admitted fact, which can only receive an unfavorable hue from such a desire. It is a circumstance, I have ever openly declared when called upon, (but which I never acknowledged, for an act in itself innocent should not be reluctantly confessed as a sin), that I embarked for N. Orleans in a vessel on board which was Dr. Bollman, a gentleman I had never spoken to prior to sailing from Philadelphia; Mr. Alexander, a barrister, known to me only as a man eminent and respectable in his profession, and a Lady who at that time I had never seen, but who I afterwards had the pleasure of knowing as Madame D'Avergne. Whether those persons sailed with the privity of col. Burr, or with views in coalescance with his I could not at that time have taken upon myself to determine, for I never understood from either of them by the remotest intimation that designs were contemplated such, as subsequent accusations have charged them with—but that col. Burr was acquainted with my intention to visit New Orleans is manifest from the subjoined transcript of a letter written by him to the hon. Daniel Clark, which till the day of delivery was open to my perusal.

"This will be handed you by my young friend, Lt. Spence of the navy—he was one of the brave corps who gave splendor to our naval character at the Seige of Tripoli and an officer of distinguished merit. I have to request you will shew him every civility, and I need not say how much your attentions will contribute to render his stay amongst you agreeable—introduce him to some of your friends of both sexes."

A. BURR."

This is the letter spoken of in my evidence which I stated to be a simple letter of introduction, the face of which supercedes the necessity of my saying differs widely from a letter of recommendation. It insured to me the polite attentions of Mr. Clark, and whilst the hospitality of his table is still alive in my memory I cannot silently permit its being interpreted to his prejudice, as I never have or shall without resentment suffer any man to offend my feelings or honor. I can safely affirm that neither col. Burr or Dr. Bollman at any period of my acquaintance with them made to me a proposal incompatible with this unfrail principle of conduct.

There is a remark made by this bye stander respecting my having dined with Mr. Clark in company with Dr. Bollman, something too exclusive to accord with my testimony given before the honorable court. It would have bore more the complexion of candor had he stated that I never (to the best of my recollection) had seen Dr. Bollman in the House of Mr. Clark but once at a dinner of which many participated, after nearly a month's residence in New-Orleans.

I have never felt a reluctance in disclosing views separate from and unconnected with col. Burr, and such as I intend no man of spirit shall reflect upon with impunity, induced me to realize an excursion I had long contemplated, suggested by curiosity and the errantry of youth, a tour from collateral consequences pregnant with great uneasiness to me, but which I should have made, had col. Burr been in London or its Antipodes! Dr. Bollman knew of my purpose to make this jaunt, for he had often heard me express this intention; and a few days before my departure requested me to take charge of a letter to col. Burr whom he said would be in the Western country and probably at Nashville, and I have an impression that Madame D'Auvergne solicited the same favor.

I knew Col. Burr as the ex-Vice-President of the United States. He had but just abdicated this dignified situation; he had never been accused of designs at variance with the interest of his country, nor had the breath of suspicion sullied the reputation which had exalted him to the post of honor! his esteem was no odium nor was his acquaintance a censure. Under such circumstances I took charge of a letter—On a similar occasion where is he who could so far deviate from politeness as to refuse. Mr. Clark on my leaving New-Orleans had the kindness to furnish me with a letter of introduction which contained merely a repetition of what col. Burr had written.

This Mr. Smith I wish you to insert as an annotation to the statement I noticed in your paper of the 24th ult. to explain and dissipate the fallacious expression, and to do justice to one who has the

honor to remain,
your obt. servant,
ROBERT T. SPENCE.

Washington, March 1, 1808.

CONGRESS.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 1.

The *Speaker* laid before the House a communication from the Secretary of the Treasury, inclosing the following report:

TREASURY DEPARTMENT,
February 27th, 1808.

SIR,

I have the honor to transmit herewith a statement of goods, wares and merchandize exported from the United States, during one year prior to the first day of October, 1807, and amounting to 108,343,150 dollars.

The goods, wares and merchandize of domestic growth, or manufacture, included in this statement are estimated at Dollars 48,699,592

And those of foreign growth or manufacture, at 59,643,558

108,343,150

The foreign goods may be divided into three classes, viz.

1st. Articles on the importation of which no duty had been collected, they being free of duty by law, Dollars 2,080,114

2d. Articles liable to duty, and which were on re-exportation thereof, entitled to drawback, 48,205,943

3d. Articles liable to duty, but which were not, on re-exportation thereof, entitled to drawback, 9,357,501

59,643,558

The duties collected on the importation of the articles of the third class, and which not being paid by consumers within the United States, are derived directly from the carrying trade, amount to 1,393,877 dollars, exclusively of the additional duties designated by the name of "Mediterranean fund."

The articles of domestic growth or manufacture, exported during the period aforesaid, may be arranged under the following heads, viz.

Produce of the sea,	Dollars	2,804,000
Forest,		5,476,000
Agriculture,		37,832,000
Manufactures,		2,409,000
Uncertain,		179,000
		48,700,000

I have the honor to be,
With great respect,
Sir,
Your obedient servant,
ALBERT GALLATIN,

The honorable
The Speaker
of the House of Representatives.

The report and documents were ordered to be printed.

Mr. Van Rensselaer reported a bill to continue in force an act to extend jurisdiction in certain cases to judges of state courts; which was twice read and referred to a committee of the whole.

Mr. Dawson reported a bill authorising the sale of public arms; which was twice read and referred to a committee of the whole.

Mr. Van Horne laid upon the table the following resolution, which had been rendered necessary in his view from the debate which had taken place on the contract bill:

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring therein, that the following amendment to the constitution of the United States, be proposed to the Legislatures of the several states, which when ratified by the Legislatures of three-fourths of the said states, shall be valid to all intents and purposes as part of the said constitution.

No person shall be eligible as Senator or Representative in Congress who shall hold any office under or be bound by any contract entered into with the government of the U. S. or any department or officer or agent thereof at the time the election shall take place. Nor shall any Senator or Representative in Congress, if he shall qualify as such, hold any civil office or appointment under the government of the United States or make any contract with any department or officer thereof during the time for which *he* shall be elected.

Mr. Basset moved for the order of the day on the bill concerning public contracts—motion negatived, 47 to 39.

Mr. Tallmadge from the committee to whom was referred the President's message of the 26th ult. reported a bill authorizing a detachment of the militia.—Twice read and referred to a committee of the whole.

On motion of *Mr. Dawson*, the House resolved itself into a committee of the whole on the bill authorizing the President of the United States to raise an additional military force—MR. BASSET in the chair.

The bill is reported in conformity to the letter of the Secretary of War on this subject, with a few variations in detail. The bill contemplates the appointment of two major generals, contrary to the recommendation of the Secretary of War.

On motion of *Mr. Tallmadge*, all that part relating to major-generals, was struck out, Ayes 74.

Several amendments were made to the details of the various sections not affecting the general object of the bill.

Mr. Blount wished every person entering into the service af the United States to know on what conditions they entered.

To save a repetition of the trouble occasioned by former applications on the same subject, he moved to add the following amendment to the end of the 7th section:

"No commissioned officer, non-commissioned officer, musician or private shall, after being discharged, be allowed to set up any claim for half pay, commutation or pension, except he shall have been disabled by known wounds received in actual service."

This amendment was supported by *Mr. Blount*, and opposed by Messrs. Dawson, Gardner, Rhea, Tallmadge, Durell, Smilie and Taylor. The principal objection to this was that the 8th section of the bill goes to the same object. It was negatived by a large majority.

Mr. Helms offered an additional section, fixing the price of undrawn rations, at twenty-five cents each.

After a representation from Mr. Dawson, that this object was already before a committee, and that though favorable to the object, he must vote against it here,

Mr. Helms withdrew his amendment.

Mr. Blount said if there should be war, it would be necessary to draw out so many militia as that a major-general of militia might be included in the militia who would take command of the regular forces in preference to regular brigadier-generals. To avert this evil, he moved a new section, authorizing the President when actual war with any nation shall exist, to appoint two major-generals.—Negatived, Ayes 22.

Mr. Rhea moved to strike out the limitation to pay of the army for any longer time than while in actual service.—Negatived, Ayes 4.

On motion of *Mr. Dawson*, the committee rose, and reported the bill as amended. Mr. D. stated that he did not intend at this time to call up the report, and it lies on the table of course.

The House went into a committee of the whole, 48 to 34, on the bill concerning public contracts—MR. CUTTS in the chair.

Mr. Quincy's motion for striking out the proviso at the end of the first section, was carried, 40 to 37.

Mr. Kelly proposed an amendment for the limiting the law so as to comport with that part of the constitution which says that no person shall hold an *office* in the creation of which he had a vote—which after a lengthy discussion was negatived by a large majority.

The committee then rose and obtained leave to sit again, 55 to 34.

A communication was received from the Secretary of State inclosing documents respecting American seamen which was referred to a committee appointed to consider the measures necessary for the security and protection of American seamen.

(BY AUTHORITY.)

AN ACT

For the relief of Samuel Whiting.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the secretary of the treasury be, and is hereby authorized and directed to pay to Samuel Whiting four hundred and forty dollars, in satisfaction of the said Samuel Whiting's claim for services rendered and expences incurred, pursuant to the directions of the post-master general, in the apprehending and prosecuting one Henry Deming, late a deputy post-master at Hinsdale, in Massachusetts, who was indicted in the circuit court of the United States at Boston, for embezzling certain letters which came to his possession, containing bank notes belonging to the said Samuel Whiting.

J. B. VARNUM, *Speaker of the House of Representatives.*
GEO: CLINTON,
Vice-President of the United States, and President of the Senate.
February 25, 1808.
APPROVED,
TH: JEFFERSON.

AN ACT

Making additional compensation to the Marshals of the Districts of North-Carolina and New-Jersey.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That from and after the last day of March next, there shall be paid annually to the Marshal for the district of North-Carolina the sum of four hundred dollars; to the Marshal for the district of New-Jersey the sum of two hundred dollars, in addition to the fees and emoluments heretofore allowed them by law.

J. B. VARNUM,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice-President of the United States, & President of the Senate.
February 25, 1808.
APPROVED,
TH: JEFFERSON.

AN ACT

To provide for the payment of certain expenses incurred in the enquiry into the conduct of John Smith, a Senator from the state of Ohio.

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the accounting officers of the Treasury be, and they are hereby directed to audit and settle the accounts of all persons who may have claims against the United States, for expenses incurred in the enquiry into the conduct of John Smith, a Senator of the United States, for the state of Ohio, as an alleged associate of Aaron Burr; which expenses may have been authorized by the committee of Enquiry, or by order of the Senate: *Provided*, That the said accounts shall have been first certified, by the Chairman of the committee, or by the Secretary of the Senate.

SEC. 2. *And be it further enacted*, That to every witness before the said committee of Enquiry or before the Senate upon the said enquiry, there shall be allowed and paid, for every day's attendance thereon, the sum of three dollars. And to defray the said expenses, there is hereby appropriated the sum of five hundred dollars, to be paid from any monies in the Treasury not otherwise appropriated.

J. B. VARNUM,
Speaker of the House of Representatives.
GEO: CLINTON,
Vice-President of the United States and President of the Senate.
FEBRUARY 19, 1808.
APPROVED,
TH: JEFFERSON.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

WHEREAS a treaty between the United States and the Choctaw nation of Indians, was concluded in the Choctaw country on the sixteenth day of November one thousand eight hundred and five, and was duly ratified and confirmed by the President of the United States on the twenty-seventh day of January in the present year, by and with the advice and consent of the Senate, which treaty is in the words following, to wit:

A TREATY OF LIMITS BETWEEN THE UNITED STATES OF AMERICA, AND THE CHOCTAW NATION OF INDIANS.

THOMAS JEFFERSON, President of the United States of America, by JAMES ROBERTSON of Tennessee, and SILAS DINSMOOR of New Hampshire, agent of the United States to the Choctaws, Commissioners Plenipotentiary of the United States on the one part, and the Mingoes Chiefs and Warriors of the Choctaw Nation of Indians in Council assembled on the other part, have entered into the following agreement, viz.

ARTICLE 1st. The Mingoes, Chiefs and Warriors of the Choctaw nation of Indians in behalf of themselves, and the said nation do by these presents, cede to the United States of America, all the lands to which they now have or ever had claim, lying to the right of the following lines, to say. Beginning at a branch of the Hoomacheeto where the same is intersected by the present Choctaw boundary and also by the path leading from Natchez to the county of Washington usually called McClarey's path, thence Eastwardly along McClarey's path, to the East or left bank of Pearl river, thence on such a direct line as would touch the lower end of a bluff on the left bank of Chickasawhay river the first above the Hiyoowannee towns, called broken bluff to a point within four miles of the broken bluff, thence in a direct line nearly parallel with the river to a point whence an East line of four miles in length will intersect the river below the lowest settlement at present occupied and improved in the Hiyoowannee town, thence still East four miles, thence in a direct line nearly parallel with the river to a point on a line to be run from the lower end of the broken bluff to Faluktabunnee on the Tombigbee river four miles from the broken bluff, thence along the said line to Faluktabunnee, thence east to the boundary between the Creeks and Choctaws on the ridge dividing the waters running into the Alabama from those running into Tombigbee, thence Southwardly along the said ridge and boundary to the Southern point of the Choctaw claim. Reserving a tract of two miles square run on Meridians and parallels so as to include the houses and improvements in the town of Toketche poo[illegible], and reserving also, a tract of five thousand one hundred and twenty acres, beginning at a post on the left bank of Tombigbee river opposite the lower end of [illegible]chatighee bluff, thence ascending the river four miles front and two back, one half for the use of Alzira, the other half for the use of Sophia, daughters of Samuel Mitchell by Molly, a Choctaw woman. The latter reserve to be subject to the same laws and regulations as may be established in the circumjacent country; and the said Mingoes of the Choctaws, request that the government of the United States may confirm the title of this reserve in the said Alzira and Sophia.

ART. 2nd. For and in consideration of the foregoing cession on the part of the Choctaw nation, and in full satisfaction for the same, the commissioners of the United States do hereby covenant and agree with the said nation in behalf of the United States, that the said states shall pay to the said nation fifty thousand and five hundred dollars, for the following purposes, to wit:

Forty-eight thousand dollars to enable the Mingoes to discharge the debt due to their merchants and traders; and