# National Intelligencer.
## & WASHINGTON ADVERTISER.

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*FIVE DOLLARS PER ANNUM,* | FRIDAY, APRIL 1, 1808. | *PAID IN ADVANCE.*

### *PUBLIC MEETING.*

AT a Meeting of the *Citizens of Washington*, held at Lindsay's Hotel, on Monday the 28th of March 1808, pursuant to public notice, it was

*Resolved unanimously*, That the City of Washington forming at least one third part of the county, is already taxed beyond its due proportion, in repairing the several roads and streets of the said city.

*Resolved unanimously*, That as Georgetown is principally benefited by its intercourse with Washington and the trade carried on between George-Town and Washington is entirely in favor of the former, it is unjust that the citizens of the latter should be taxed for erecting and repairing the Bridges over Rock creek.

*Resolved unanimously*, That as three Bridges, and several Foot-ways, leading to George Town, have already been made by the former Commissioners out of the city funds, that the citizens thereof ought not now to be taxed on account of the same.

*Resolved unanimously*, That a committee be appointed to wait on the Mayor, requesting him to convene the City Council; and the said committee also wait on the City Council, when so convened, and request their aid in taking such measures as will be most effectual to prevent a repeal of the law passed by Congress in the year 1804, exempting the City from taxation by the Levy Court.

*Resolved unanimously*, That the proceedings of this meeting be published in the National Intelligencer on Wednesday next.

*GEORGE BLAGDEN,*
*Chairman*
*DANIEL RAPINE, Sec.*

March 30—

### LAND HOLDERS IN THE STATE OF OHIO.

BY one of the propositions made by Congress to the people of the eastern division of the territory northwest of the river Ohio, when it was about to pass into a state government, provision was made for an exemption, of the lands sold by Congress, from taxation, for the space of five years, after the sale That time has now elapsed, as to all lands sold previously to the 30th day of June, 1803; and they will, this year, be entered, by the Auditor for taxation, at 100, 75, and 50 cents per 100 acres of 1st. 2d. and 3d rate land. So, for the next year, those lands sold previously to the 30th day of June, 1804, will be in like manner entered Every year the system will progress, in this manner, until the whole of the lands will be embraced. The sale of lands, for tax, commences on the first Monday of December.

We give this early information, that non-residents may take advantage of it, and, by the like early provision, may save their property from the grasp of speculating harpies.

TH. S. HINDE, and
CH. A. STUART,
Agents for non-residents.

*Chillicothe, March 10th*, 1808.

It is desired that the Enquirer, Aurora, and United States Gazette, will insert the above notice twice, and forward their accounts.

April 1—3t

*THE DRAWING OF THE*
### *NEW YORK STATE LOTTERY,*

Will positively commence on Tuesday the 5th of April, and continue drawing at the rate of 3000 Tickets per week until finished.

Present price of Tickets 7 Dollars & 50 Cents, but will positively rise to 8 dollars on the 5th of April.

*** Tickets may be had by early application at J. MARCH'S Book Store, George Town, where a regular Check book of the drawing will be kept.

April 1—2t

### NOTICE.

THE subscriber under painful sensations announces to the public his intention to apply to the next Prince Georges county court, or in its recess to one of the judges thereof, for the benefit of an act of Assembly, entitled, "An act for the benefit of insolvent debtors," passed November session, 1805, and the "Act supplementary thereto," passed November session 1806.

ROBT. McKOY.

April 1—w3t

### 20 DOLLARS REWARD.

RAN away, on the 1st day of Oct. 1807, from the subscriber, in Prince-George's county, two miles from the Governor's Bridge, a negro man named SAM, but sometimes calls himself SAM JOINTER, he is about five feet seven inches high, a little bow legged, stoops as he walks, has short wool, and is fond of strong liquor; he is upwards of 50 years of age; his cloathing unknown; he may change his name, and endeavor to pass for a free man; I suspect he is harbored either at Mr. Fielder Gantt's, or maj. Stoddert's quarters, or the Federal city, where he has relations. Whoever takes up said negro, and brings him home, or secures him in goal, so that I get him again, shall receive the above reward.

MAREEN DUVALL.

All masters of vessels, and others, are forewarned harboring, employing, or carrying off said fellow, at their peril.

April 1——3t.

### IN CHANCERY, MARCH 21, 1808.

Robert H. Smith,
versus
Elizabeth C. Smith.

THE bill in this case states that the complainant as executor of John H. Smith has in settling the estate and discharging the claims against the deceased, overpaid the personal estate to a considerable amount. It further states that the said John H. Smith devised a considerable real estate situate in Calvert county, to his two daughters, Elizabeth Chew Smith & Mary Smith, who is since dead intestate and without issue, and that the said Elizabeth Chew Smith is sole seized now as the heir at law of her sister of the whole of the real estate of her father John H Smith. The bill further states, the said Elizabeth is an infant under the age of twenty-one years and now resides in the state of Kentucky near George Town in Scot county, and prays that the real estate of the said John H. Smith may be sold to reimburse to him the money he has advanced to pay the debts of the said John H. Smith; all the personal estate being exhausted. It is thereupon this 21st day of March eighteen hundred and eight, by William Kilty, chancellor and by the authority of this court ordered and adjudged that the complainant cause a copy of this order to be inserted at least three successive weeks before the first day of May next, in the National Intelligencer that the said Elizabeth C. Smith may be warned to appear in this court in person or by solicitor on or before the 1st day of September next, to shew cause why a decree should not pass as prayed.

True copy
Test NICHS. BREWER, R. C. C.

April 1—w3t

### *BY AUTHORITY.*

### AN ACT

*Extending the time for issuing and locating military land warrants.*

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That the Secretary of War be authorized to issue military land warrants to such persons as have, or shall, before the first day of March, one thousand eight hundred and ten, produce to him satisfactory evidence of the validity of their claims; which warrants, with those heretofore issued and not yet satisfied, shall and may be located in the names of the holders or proprietors thereof, prior to the first day of October, one thousand eight hundred and ten, on any unlocated parts of the fifty quarter townships and the fractional quarter townships, reserved by law for original holders of military land warrants.

J. B. VARNUM, *Speaker of the House of Representatives.*
GEO: CLINTON,
*Vice-President of the United States, and President of the Senate.*

March 21, 1808.
APPROVED,
TH: JEFFERSON.

### AN ACT

*Granting William Wells the right of pre-emption.*

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That William Wells shall have the right of pre-emption to three hundred and twenty acres of land, to include his improvements situated at Fort Wayne, in the Indiana Territory, at the confluence of the rivers Saint Joseph's and Saint Mary's, which form the Miami of the lake; the boundaries of which shall be designated under the direction of the Secretary of the Treasury; which tract of land shall be granted to him, at the same price, and on the same terms for which other public lands are sold at private sale, and the respective instalments of the purchase money shall become due at the same time with those of the first public lands which may be sold in the tract of six miles square ceded by the treaty of Greenville to the United States, at the confluence of said rivers.

J. B. VARNUM,
*Speaker of the House of Representatives.*
GEO: CLINTON,
*Vice-President of the United States, & President of the Senate.*

*March* 18, 1808.
APPROVED,
TH: JEFFERSON.

### AN ACT

*For erecting a light-house on the south point of the island of Sapelo, and for placing buoys and beacons in the shoals of the inlet leading to the town of Darien, and near the entrance of Ipswich harbor, near Plymouth harbor, before the harbor of Nantucket, and on the island of Tuckanuck, at or near the entrance of Connecticut river, and near the entrance of Great Egg Harbor river.*

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That as soon as the jurisdiction of so much of the head land of the south point of the island of Sapelo, in the state of Georgia, as the President of the United States shall deem sufficient for the purpose of erecting a light-house and its appurtenances, shall have been ceded to the United States, provided the said land can be obtained at a reasonable price, it shall be the duty of the Secretary of the Treasury to provide by contract, which shall be approved by the President of the United States, for building a light-house thereon, and furnishing the same with all necessary supplies, and also to agree for the salaries or wages of the person or persons who may be appointed by the President, for the superintendance and care of building the said light-house: And the President is hereby authorized to make the said appointment.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be further authorized and directed to cause to be placed four buoys on the shoals called the South and North banks of the harbor or entrance of the inlet leading to the town of Darien.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby authorized to cause to be erected and placed beacons and buoys at the following places, to wit: two beacons and three buoys near the entrance of Ipswich harbor; three buoys, one on Gurnet rock, one on Boss rock, and one on Deck's flats, and two beacons on the stony muscle bed, near Plymouth harbor; three additional buoys before the harbor of Nantucket, and a buoy or leading mark on the island of Tuckanuck, in the state of Massachusetts—three buoys at or near the entrance of Connecticut river, and three buoys to be placed at or near the entrace of Great Egg Harbor river, in the state of New-Jersey.

SEC. 4. *And be it further enacted*, That there shall be appropriated and paid out of any monies in the Treasury, not otherwise appropriated, a sum not exceeding eleven thousand five hundred dollars, for the purposes aforesaid.

J. B. VARNUM, *Speaker of the House of Representatives.*
GEO: CLINTON,
*Vice President of the United States and President of the Senate.*

MARCH 17, 1808.
APPROVED,
TH: JEFFERSON.

### AN ACT.

*To amend the act, entitled "An act establishing circuit courts and abridging the jurisdiction of the district courts of the districts of Kentucky, Tennessee, and Ohio."*

BE *it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled*, That so much of the second section of the act, entitled "An act establishing circuit courts, and abridging the jurisdiction of district courts of the districts of Kentucky, Tennessee and Ohio," passed the twenty-fourth day of February eighteen hundred and seven, constituting the state of Tennessee one district, for the purpose of holding circuit courts therein, shall be, and is hereby repealed, and from and after the passage of this act, the state of Tennessee shall be divided into two districts, for the purpose of holding circuit courts therein, and the limits of the said districts shall be the same as those now prescribed for the districts of east and west Tennessee, in and by the fourth section of the above recited act, and there shall be holden annually in each of the said two districts, one circuit court, to consist of one justice of the supreme court of the United States and the district judge of the said districts of east and west Tennessee, and the sessions of the said courts shall be held in each of the said districts, at Nashville on the second Monday in June, and at Knoxville on the the third Monday in October annually: and that all actions, causes, pleas, processes, and other proceedings relative to any cause civil or criminal, which shall be returnable to, or depending in the said circuit court of the United States, to be held at Nashville on the first Monday of June next, shall be returned, and held continued to, and be proceeded upon, on the second Monday in June next, in the same manner they would have been if this change had not taken place.

SEC. 2. *And be it further enacted*, That where any suit or suits has or have been brought, or is or are now pending before the circuit court held at Knoxville, in and for the district of east Tennessee, against a person residing in said district of east Tennessee, such suit or suits shall be proceeded upon, and finally determined in the district of east Tennessee, and where any suit or suits has or have been brought, or is or are now pending before the circuit court held at Nashville, in and for the district of west Tennessee, against a person residing in the said district of west Tennessee, such suit or suits shall be proceeded upon and finally determined in the district of west Tennessee.

SEC. 3. *And be it further enacted*, That it shall be the duty of the district judge of Tennessee to attend at Knoxville on the first Thursday after the third Monday in April next, and on the first Thursday after the third Monday in April of each and every year thereafter, and at Nashville on the first Thursday after the fourth Monday in November next, and on the first Thursday after the fourth Monday in November of each and every year thereafter, who shall have power to make all necessary orders touching any suit, action, appeal, writ of error, process, pleadings, or proceedings returned to the circuit court next to be holden thereafter at Knoxville, and Nashville, or depending therein, preparatory to the hearing, trial, or decision of such action, suit, appeal, writ of error, process, pleadings or proceedings; and all writs and process may be returnable to the said courts on the first Thursday after the third Monday in April, at Knoxville, and on the first Thursday after the fourth Monday in November, at Nashville, in the same manner as to the sessions of the circuit court, directed to be held by this act in the district of east Tennessee, at Knoxville, and in the district of west Tennessee, at Nashville; and the said writs, returnable to the circuit courts to be held at Knoxville, may also bear test on the said first Thursday after the third Monday in April; and the writs returnable to the circuit courts to be held at Nashville may bear test on the first Thursday after the fourth Monday in November, as though a session of the said circuit court was holden on those days at Knoxville and Nashville, respectively.

SEC. 4. *And be it further enacted*, That there shall be two clerks appointed, one for the circuit court to be held at Knoxville, and one for the circuit court to be held at Nashville, whose duty it shall be to attend the said district judge on the said first Thursday after the third Monday in April, and on the said first Thursday after the fourth Monday in November, of each and every year, at the places aforesaid, who shall make due entry of all such matters and things as shall or may be ordered by the said judge, and at each and every of the said sessions so held for the purpose aforesaid, all actions, pleas, and other proceeding relative to any cause civil or criminal, shall, for the circuit court to held at Nashville, be continued over to the ensuing second Monday in June, and shall for the circuit court be held at Knoxville, be continued over to the ensuing third Monday in October.

SEC. 5. *And be it further enacted*, That all actions, suits, process, pleadings, and other proceedings of what nature or king soever, civil or criminal, which were originaly returned to the circuit court begun and held at Nashville, on the first Monday in June last; and all writs process, and proceedings, as aforesaid, which are or may be made returnable to the said circuit court to be held at Nashville, shall after the next June term of the circuit court be continued, returned to, and have day in the session to be held by this act, on the first Thursday after the fourth Monday in November next, and all actions, suits, process, pleadings, and other proceedings of what nature or kind soever, civil or criminal, which were orginally returned to the circuit court begun and held at Knoxville, on the third Monday in October last; and all writs process, and pleadings as aforesaid which are or may be made returnable to the said circuit court, shall be continued, returned to, and have day in the session to held by this act, on the first Thursday after the third Monday in April next; and such proceedings shall be had thereon, at the said session as are herein before provided.

J. B. VARNUM,
*Speaker of the House of Representatives*
GEO: CLINTON,
*Vice-President of the United States and President of the Senate.*

MARCH 22, 1808.
APPROVED,
TH: JEFFERSON.

## CONGRESS.

### *HOUSE OF REPRESENTATIVES.*

*WEDNESDAY, MARCH 9.*

*Debate on the passage of the bill concerning courts martial and courts of enquiry—Continued.*

Mr. ROWAN rose to oppose the passage of the bill. His colleague (Mr. Johnson) seemed to think that this bill proposed no encroachment on those rights to which the people had been long habituated. He set off, said Mr. R. by telling the House that he was opposed to giving an ascendency to the military power: I did hope that he would have gone further, and said he was opposed to making it co-ordinate with the civil. The gentlemen who have supported the bill have endeavored to sanction its provisions by arguments drawn from similar authority given to our civil tribunals; but they did not seem to recollect that they are not the same. The military cannot be equal to the civil. Two equal powers cannot exist; for if a conflict was to occur between two equal powers and neither yield, anarchy takes place. But this bill is far, very far from leaving the military on a level with the civil authority; it has far transcended it. In the very first section I will shew that a decided, clear, pre-eminent, and prominent advantage is given to the military over the civil authority.

This bill provides that when an officer is accused of a crime touching his life, depositions shall not be read in evidence; indeed so tender is it of the officer, that if conviction might subject the officer to dismissal or cashiering, depositions shall not be read; and if witnesses cannot be produced residing within 100 miles of the place where the court martial shall be held, their evidence shall not be admitted. What is the result? An officer shall have committed the most flagrant crime; if you can prove his guilt by witnesses within 100 miles, he may be convicted; if not he may be exempt. He shall commit a crime which shall subject him on conviction to cashierment, he is secure except a witness can be found within one hundred miles; for out of this circle even depositions cannot be read—thus putting the officer infinitely above the citizen, for the nation forms the limit to *civil* jurisdiction. In case of an offence committed by an officer, if you can find a witness within one hundred miles, his head may pay the forfeit; if not, he is totally exempt from punishment.

Contrast this with the provision for the meritorious class of militia men. Let us examine the case. You may take depositions in cases of these men, and convict them on depositions taken any where on the continent; thus a species of testimony which shall not in the least affect an officer, may take away the life of a militia man. Every citizen when called into service in the militia, may have his life taken upon that species of testimony which shall not subject an officer to cashierment or dismissal.

Take another side of the picture. By this bill it is the privilege of the officer that he is not subject to examination before a court of enquiry even, without the benefit of viva voce testimony, if to be had within one hundred miles, while the militia man has the poor privilege of having testimony if to be had within 25 miles. One hundred miles are marked for the officer, and 25 for that description of men, who, we are told, are to be so much favored by this bill.

With what eyes do gentlemen view this bill? How can they expect to look their fellow-citizens in the face whom they have subjected in this way? We may tell our constituent that if a charge be made against a citizen when in actual service, we have passed a law which will enable you to go out of the lines to procure evidence. How far? If you can find a witness within 25 miles, you may compel him to attend; beyond that distance, if you can get out of camp (and a military man's influence in an army to be sure is vast,) you may in time of war go out and collect depositions; in the mean while your life may be taken from you by deposition made where you had not an opportunity to cross-examine. The bill indeed provides that notice of the time and place of taking depositions shall be given by