A STATISTICAL TABLE, FOR THE UNITED STATES OF AMERICA,

Years.	POPULATION.								Average price bush.	Cultivated acres.	Improved land.	Increase in land.	Ratio of increase.	Total increase in land.	Ratio of increase.	Militia.	IMPORTS.								EXPORTS.				Total Exports.	Tons, merchant vessels in which duties were collected.	Tons, coastg vessels cleared.
	Free persons.				Slaves increasing next 2 1/2 per cent. per annum.	Total increase in slaves, including 1934, Louisiana.											Dollars.				Dollars.									
																	Foreign goods.	Foreign in British bottoms.	Foreign in foreign bottoms.	Total.	Domestic produce.	Foreign goods.	Merchandise including re-exports.	Total.	Cents.	Cents.				
1774	1,424,936	000	500	000	5	466	000	—	2	50	800	000	—	40	421	300	—	—	15	000	3000	17	000	000	6	000	000	6	000	000	40	60
1784	2,820,000	000	000	000	5	290	000	—	2	23	300	000	—	45	541	666	—	—	18	000	1000	11	000	000	9	000	000	10	150	000	50	64
1790	3,202,000	000	000	000	5	300	000	—	3	30	000	000	—	53	654	000	—	—	20	000	1000	17	500	000	14	000	000	16	000	000	65	83
1800	4,305,000	000	000	000	5	400	000	—	3	20	000	000	—	62	677	600	—	—	28	000	000	18	000	000	18	000	000	18	000	000	75	98
1792	3,438	237	731	000	4	169	337	191	3	32	000	000	3	50	—	65	694	889	—	—	30	090	000	22	000	000	15	000	600	31	0	5	567	638	65	83
1793	3,866	437	748	000	4	284	251	417	3	32	000	000	4	00	—	70	103	000	—	—	30	000	000	25	000	000	25	420	000	25	011	788	627	670	70	98
1794	4,297	197	756	000	4	398	251	422	3	32	000	000	4	50	—	80	721	000	—	—	30	000	000	24	000	000	24	000	000	24	000	000	743	736	80	117
1795	4,771	940	748	000	4	518	968	122	4	34	800	000	4	60	—	1	25	739	234	—	—	45	000	000	48	000	000	48	000	000	48	000	000	848	836	100	129
1796	5,297	121	600	000	4	642	000	000	4	36	000	000	4	75	—	1	50	763	404	—	—	60	000	000	67	000	000	67	000	000	67	000	000	1,111	000	120	155
1797	5,914	012	000	000	4	833	000	000	4	38	000	000	5	—	—	1	80	892	367	1	124	80	000	000	75	000	000	75	000	000	75	000	000	1,211	000	140	172
1798	6,610	450	828	000	4	978	000	000	4	38	100	000	5	23	—	1	60	—	829	754	13	350	62	300	380	000	000	37	991	413	326	411	835	329	83	190
1799	7,296	620	000	000	5	128	000	000	4	38	200	000	5	39	—	1	70	—	862	426	42	950	63	500	000	000	000	33	182	000	000	000	872	000	90	200
1800	7,404	799	876	000	5	278	000	000	5	38	300	000	5	39	—	1	90	—	878	000	42	870	64	000	000	000	000	33	800	000	000	000	872	498	90	200
1801	8,344	800	988	000	5	440	000	000	5	38	400	000	5	40	—	2	—	—	901	—	50	600	65	000	000	000	000	46	377	792	000	000	947	376	90	175
1802	8,863	000	000	000	5	603	000	000	5	38	500	000	5	40	—	2	20	—	949	000	50	000	65	000	000	000	000	42	000	000	000	000	1,144	000	90	175
1803	8,727	412	944	000	5	771	412	944	5	38	600	000	5	40	—	2	30	—	972	000	18	554	62	300	000	000	000	42	205	000	000	000	1,037	223	75	132
1804	9,000	000	000	000	5	900	000	000	5	38	700	000	5	40	—	2	15	—	1,030	000	50	460	64	000	000	000	000	41	477	479	000	000	1,037	000	75	132

the pledges marked formed any part of the indictment?

Mr. Baxter. I cannot say that I recollect.

Mr. Campbell. When you were sworn did you or dothink that the charges in the indictment were taken from the book called the Prefect Before Us?

Mr. Baxter. It was a fulsoth of general notoriety, that the indictment was drawn from the Prefect Before Us.

Mr. Campbell. What authority had you for supposing that the extracts you had read were taken from the Prefect Before Us?

Mr. Baxter. I had no auth ity but the newspapers, they corporated that the extracts were it from the book called the Prefect Before Us.

Mr. Hopkinson. Have you any reason to believe that the extracts in the newspapers were not taken from the book?

Mr. Baxter. I hardly believe they were taken from it.

Mr. Hopkinson. Was the book which, you say, set out that which was given in evidence during the trial?

Mr. Baxter. Whichever it was the book which was in fulsoth by the prefecutor and handed to us by the agent of the crown, I cannot tell.

Mr. Hopkinson. At what hour did the court meet?

Mr. Baxter. I believe about 10 o'clock.

The President. I understand you as saying that you never saw the book, but you say you saw it in court.

Mr. Baxter. I am fulsoly and fully fo ear.

The President. When you were qualified as a jur, I understand you to have fai, that if the extracts you had read were correctly given, the master was illefulous; did you say that you had formed an opinion?

Mr. Baxter. No Sir, not that I had delivered an opinion, but I fald that if the traverser was the author of those extracts he was guilty of a breach of the fedition law. I meant every expression that is now remaining on my memory, I addressed fo far to the Mr. Hopkins enquiries extended no farther than to making to my opinion on the extracts contained in the newspapers. I had no conviction whatever with the book. I dont know that I fladed to the court that I had formed an opinion.

Mr. Harper. Did you make an application to the court to be excused, or did you make the objections arife from motives of delicacy?

Mr. Baxter. It my memory does not fail me I did not fhink the judge to be excuse me; the office of a jurymen is so dishonorable an imployment, that I fhink it was called upon to perform it duty, I do not fhink from the talk. I had fome doubts whether my mind was in a proper state t. pafs between my country and the traverser. It was to remove thofe doubts that I made the declaration and for no other purpose.

Mr. Hopkinson. What day of the week was Callender tried?

Mr. Baxter. I arrived about 10 o'clock on Monday, and the next day the jury were from at the blood time.

Mr. Bayard. What was the general deportment of the judge to the council, and of the council to the court.

Mr. Baxter. The dificult conducting the cauy which that fatte ships we fere ment, long were feelings differently from others. My own opinion is that the judge conducted himself with decision tempered with feveity, and that he was vetty without being lirculiic—I was no impreffion that the Judge wished the prisoner to have a fail sensing, that he might be acquitted, if innocent, and found guilty, if really guilty—It appeared to me, that the fole point on which the counsel hoped to have their client was by proving the unconstitutionality of the fedition law, and it appeared to me that they could not form a reasonable expectation of acquitting him on any other ground—I believe his counsel believed the law unconstitutional, and thought they had elegance and argument enough to convince the jury of it—I believe they thought the Judge deprived them of their right to address the jury on that subject; but that they were carried very much at heart, they were vally mortified that the court did not permit them to take the case by any wiidcrs—I believe year. I to ce rifles themfel es as advocating the cuefie of an oppeffed citizen, and they fhi hors at not being allowed the mode of defence which in their opinion the law gave them—I fhink all their arguments they travelled but little way before they came to the point that went to prove the unconstitutionality of the Judge defiared, at every fach time, that they had no right to address the jury on that ground—I have frequently had made the court the Ede Judges of a law as far as it respected its conftitutionality—I think that circumstance is my impreffion that the alteration between the law and the court arofe fafing from the fimilibility of the counsel to this particular fubject, and from being deeply interested in the fate of the prisoner.

The President.—What were the particular caufes of irritation between the Judge and the counsel?

Mr. Baxter.—I have fluted what I considered the caufes—They arofe from the counsel desiring to fate particular points, and fhe fo frequently doing it continued the Judge to interrupt his voice, and to pronounce over and over again what he conceived to be the law.

Mr. Hopkinson.—Was the Judge put by the court, whether you had formed and delivered an opinion on the charges contained in the indictment?

Mr. Baxter.—My memory on the particular form of the question is impeffect, but I will fate to the fame of it at fafi thought the question had been put in the dirjuctive,—but I am now perfuaded that I was miffaken, fo many gentlemen concurring in reeeffecting the question I thought was aked, I mufi believe I was miffaken.

Mr. Rodney.—When the question was put, did you not fay that you had formed an opinion on the extracts, and did you not expefs the very opinion which you had formed?

Mr. Baxter.—I did, and I faid that it was a book which I had formed an unequivocal opinion that it was libellous.

Mr. Rodney.—And this before you was sworn?

Mr. Baxter.—Yes, Sir.

The witness was then dismissed from the peculiar circumstances already fluted, excufed with the content of the parties from any further attendance on the court—the *President* observing that although the indulgence was granted in this influence, he hoped it would not be made a precedent for a general practice.

THURSDAY, Feb. 14.

On the request of Mr. Harper, and with the content of the managers, JEDIDIAH MUND RANDOLPH a witness on behalf of the respondent, was *sworn*.

Mr. Hopkinson. Were you prefent at the trial of Callender?

Mr. Randolph. I was prefent during a fhort part of the trial.

Mr. Harper. What was the general conduct and behaviour of the court towards the counsel. Was it harsh, rough and irritating; or was it mild and facetious?

Mr. J. Randolph. I with to fhimit to the court, whether it is proper to put this question to the form propofed. I with the witnefs may in fluting the conduct of the court, confine himfelf to fpeak facts, as much as poffible.

Mr. Harper. The general conduct of the court is a matter of fact, and the particular acts of the court go to fhew what that was.

The President have delivered the answer to be received in writing, when Mr. Harper faid that he had no objection to withdrawing the question—Mr. J. Randolph, however, waving any objection to the question, the President delivered it to be fluted to prefent.

Mr. Randolph. The answer I have to make is very fhort. Having been called the prisoner my wife—I fhi ld do not consider myself competent to fay fhe was guilty and conduct of the court was. I recollect fhe thoroly after the trial commenced, I came into court, and fhe very near the bench on which the judges fat; I continued there fome time, while a portion of the very longly indictment was reading—I came out, and returned to my own house, where I continued until the time when I fhould go to fate what I knew in evidence would be fouffled. Just on my entrance into fafiy of the court, I saw the counsel for the traverser folding up their papers, and retiring from the bar.

Mr. Rodney. Were you present during the time when the previous motions were made?

Mr. Randolph. Shortly after the indictment was found against Callender, I was in court. The only incident, which I recollect to have taken place at that time, was fasing the clerk or the attorney of the United States to publish Cinfe a paper about which I made enquiry of Lucebody near me, and learnt that was a warrant or process for apprehending Callender. This is all I recollect previous to the arrell of Callender. When Callender was brought into the court, I fhood outfide of the crowd, at fome diftance from the court. I heard a great dial fiaid, but I do not recollect what I did hear. I am, therefore, fhufied that I am incapable of giving a connected fhatement of what passed at that time. On the fucceeding day the trial commenced; but I was not present when the motion was made for a continuance. I have fluted already how far I was a witnefs to that time to the conclusion of the trial.*

Mr. Harper. What was the demeanour of the counsel for the prisoner in the course of folding up their papers?

Mr. Randolph. I do not recollect any fpecific fafiy.

Mr. Harper. What was their general demeanour on having to retire?

Mr. Randolph. From the caufes I have fluted I am not able to answer this question.

Mr. Harper. Have you no general impreffion?

Mr. Randolph. I cannot fay I have.

Mr. Harper. Was there any thing, which fhuck you as remarkable, impropper, or otherwise?

Mr. Randolph. I have no hefitation in faying that I saw nothing that concerned me improper.

Mr. Harper. Pray what do you mean by corruption?

Mr. Randolph. I mean an evil intention to oppress the traverser. I fpeak only of those parts of the trial which I recollect; and I fhall be unable to fhew a knowing little of what paffed from my own observations.

Mr. Harper. Did you perceived an evil intent to oppofe the party?

Mr. Randolph. I had no idea of the fact.

Mr. Lee. Do you recollect nothing that was faid by the court to the counsel, when they were putting up their papers and retiring.

* The introduction of Mr. Randolph's testimony was delivered in fo low a voice as not to be heard by the reporter. But it is understood that, in the part not heard, nothing relevant to the charges in the articles of impeachment, was faid.

Mr. Randolph. No, Sir, I was at a confiderable diftance, at the door of the lobby at the time. I have no further answer to make to the question propofed; I do not think it incumbent on me to recite matters that are irrelevant, or to go into conjectures.

Mr. Harper. We are ready to hear any thing from a gentleman fo well fafied.

Mr. Randolph. The reafon of my remark is my inexpe rienced fafiy, I was fummoned in relation to opinions delivered by me at the time of the trial.

Mr. Harper. We are fatisfied that we cannot require them.

Mr. Randolph was, by confent of both parties, excufed from further attendance as a witnefs.

GEORGE READ *sworn.*

Mr. Randolph. The witnefs will please to fate what he knows in relation to certain proceedings at a circuit court of the United States held at New Gifle, in the fate of Delaware, in the months of June, 1800.

Mr. Read. It is incumbent on me to fate that feveral years have elapsed fince the transaction, which I am now called to relate, recollected, of matters I cannot pretend to fay that the language I fhall utte to convey the fentiments delivered by Mr. Cinfe is precifely conforming to what occurred at the time; but the fubfiance of what I relate will be correct. The transaction, to which I prefume I am called to tefifiy, took place at a fefion of the circuit court, held in New Caifle, for Delaware diftricts, in June 1800. The court fat two days, viz. on the 27th and 28th day of the month. At that court, Samuel Cinfe, one of the afficiate juffices appointed, and Gaming Bedford, diftrict judge, was afficiated with him. Judge Cinfe, as ufual, delivered a charge to the grand jury on the fifiafty of the term. The grand jury, after hearing the charge, returned to their chambers; after remaining there for fome time, they returned into court, and on being afk d whether they had found bills, or had any preffentments to make; they anfwered they had found no bills of indictments, and had no preffentments to make. After receiving this anfwer, Judge Cinfe proceeded to address, as nearly as I can recollect, addressing himfelf to the grand jury, that he had been informed, or heard, that a libellous pamphlet had manifested itfelf in the state of Delaware, among a certain clafs of people, especially in New Castle county, and more especially in the town of Wilmington, where lived a moft indifcreet printer, unrefleeting of the dictates of virtue, and regardless of focial order; that the same pamphlet was in prefence the judge here paufed and faid, perhaps it might be affiming, or taking upon himfelf too much to mention the name of this prefiler, but, gentlemen, it becomes your fpecial duty, and you muft redouble diligently into this matter. Several of the jurors, I believe, made a request to the court to difmifs them, and delegated to the reafon of their request that fome of them were farmers, and it was about the time of harvefi, and they were anxious to be on their farms. The Judge offered that the jubfiect to which he had called fhould be communicated of a very urgent and preffing nature, and muft be attended to; that he could not therefore difchange them before the next day, when further information fhould be communicated to them on the fubjeft he had referred to. The Judge then addressing himfelf to me as diftrict attorney, afked me, as I believe is ufual on fuch occasions, whether I had any criminal charges to fubmit to the grand jury. I faid that none fuch had yet occurred, and I believed none were likely to occur during that term. Judge Cinfe continuing his address to me, observed, you might, by profecuting proper refearches, make fome difcoveries. Have you not heard of fome pedons in this state, who have been guilty of libelling the government, or the administration of the government of the United States. I am afraid, and the general reflection of the report induces me to believe it, that there is a certain printer in the town of Wilmington, who publishes a moft fcandalous newspaper; but it will be to no purpose to mention, when you not two printers in that town? I anfwered that I believed there were. Judge Cinfe observed that there was a libellous printer, adding, he fhall be obliged to you, if you will fate the name. Mr. Attorney, to examine accurately and minutely into affairs of this nature, fhould be fo fate respecting the libellous temper or fpirit which prevailed too many of our prefles fhould be discouraged or repressed. I fhall call a file of thefe newspapers between this time and to-morrow morning, and examine them, and if I difcover whether this printer is not guilty of libelling the government of the United States? I fay, Sir, muft be done; I think it is your duty. I believed, as this fubject was peculiarly interesting to Mr. Cinfe, I muft in my poffffion the papers alluded to by him, and, on the 2d and 3rd morn. But that it afte of them were prefented, and handed to me, I had no objection to examine them, and to communicate with the grand jury on the fubject. The Judge then faid he was fatisfied, and turning to the grand jury, observed, that he could not difchange them, however inconvenient they fhoj ; they muft attend the ensuing day, at the usual hour. The Judge then directed that a file of the papers fhould be produced for me; I understood him to mean the paper called the Mirror of the Times and General Advertifer, fhould be fent and recalled to have heard the title of the paper mentioned during this procedure. A file of those papers was produced to me in the afternoon after the adjournment of the court, by whom they were brought I do not recollect. I examined them, but in a cafory manner, as I was very much interrupted by perfons calling upon me. I did not difover during the course of this examination, any libellous matter concerning the prefidents of the fedition cafe. According to what I underfhood to be the wift of the Judge, I fent the file of papers to the grand jury. Soon after the meeting of the court on the fecond day, and at the request of the grand jury, I attended them in their room. On entering, the foreman of the jury informed me, and directed my attention to a paragraph in a publication contained in the Mirror of the Times, which, I fafi, republished from the Aurora, reflecting, perhaps in ftrong and pointed language, on the conduct of the fedition cafe. He observed that there was a difference of opinion among the jurors as to the nature of the paragraph, and they wished whether it was a libel or not, afki ng if I thought, adding that it was my duty to prefent it to the circuit court. I obferved that it was not necefary for me to be very particular in my opinion of the publication, as I did not consider it as coming under the fedition law, though I thought it confidered as an offence at common law, because Judge Cinfe had declared that the circuit court could not be very particular in my opinion of the publication, as I did not consider it as coming under the fedition law, though I thought it confidered as an offence at common law, because Judge Cinfe had declared that the circuit court could not take cognifance of offences of a fimilar nature. I returned into court, after fome time the file was placed before the Judge. Judge Cinfe afked me what had been done, and whether the grand jury had made any difcoveries of libellous matter. I anfwered none, adding it were the paragraph which related to Judge Cinfe, which I fhould have, on-