[illegible] of the independence of the republic, and the valuable maintenance of civil liberty, rather than to see us subject to a monarchical form of government, a dreadful alternative for this country, such new modifications concerning the republican form of government of this nation will be made, as will put the representation, without distinction of class or religious sentiments, upon such a footing, that we will actually shew to the eyes of our ally and the whole world, that the preservation of the republic counterbalances all other considerations, with a nation like ours that loves so much its liberty.

The undersigned declare herewith, as far as they are interested in this case, that, rejecting all political parties, they will choose anew such representatives, or continue in their present situation, those to whom they could safely intrust the valuable possession of their independence and liberty, and consider as men of honor and courage; and that, being averse as well from seditious intentions as chimerical and imaginary opinions, which cannot be applied to the real state of men as they actually are, the undersigned will do every thing which may have a tendency to cause good order, harmony and unanimity, to prevail, under a constitution, by representation.

And whatever may be the fate of our dear country, to which we are attached by so many ties, after this our declaration, which we make herewith openly make, in case of an unfortunate decision, we shall be able to look upon the ruin of our country, and of ourselves, with more resignation than if we had remained silent in one of the most important and perilous moments which our country ever before experienced. We shall have the satisfaction of having done our best for the continuance of the republic, and will have shewn by this our declaration, "that if the prosperity and liberty of nations (according to the opinion of the emperor Napoleon himself) can only be secured by two modes of government, either a limited constitutional monarchy, or a republic, constituted according to the theory of liberty, and which should be the true organ of the public will," we, however, might be considered as belonging to those republicans, who, without danger to nation or country, would be happy to make a proper choice, of such enlightened, able, and honest men as, by their administration to preserve our liberty and independence, rejecting all distinctions of classes and religion, inconsistent with the republican government, would bring back this country to such degree of happiness and prosperity, which would render it more useful to our ally, than supposing the ground itself not to be swallowed up by the surrounding waters in a few years, it possibly could, if it must submit to a form of government, from even the name of which our ancestors have ever been averse. Never shall we regret having spoken out at a moment in which we are able to raise our voice as freemen, to consider the situation of our country, and view the circumstances in which it is placed, for the purpose of making the best choice, in our opinion, of that system of government which alone is calculated to place our prosperity and liberty upon an immovable basis.

WASHINGTON CITY.

WEDNESDAY, JULY 23.

The *President* of the *United States* left the city on Monday on a visit to Monticello.

At an election held on Monday by the Contributors for the choice of Six Trustees of the Washington Academy, the following citizens were elected:

Gabriel Duval,
Robert Brent,
James Davidson,
Elias B. Caldwell,
James Laurie,
Samuel H. Smith.

In the articles we have republished from British prints, our readers will perceive much ridiculous vapouring on the course pursued by us on the outrages offered by the British ships some time since at New York. It would probably be very incorrect to consider these effusions of ignorance and national animosity as indicative either of the general sentiment prevalent in the nation, or of the opinions of the British cabinet. On the contrary, from information of a late date received from England, there is the best reason to believe that the conduct of Whitby will be condemned, and decisive measures taken to prevent a recurrence of similar outrages.

We have received a file of London papers to the 22d of May, from which we have made various extracts in our preceding columns. Besides these, there are but few articles of interest. The most important are those which serve to shew the light in which our measures are exhibited in England. For this purpose we republish the following extracts from the Morning Chronicle of the 21st of May. It will be perceived that even this print, respectable as it deservedly is, for the general correctness of its details and opinions, is itself a dupe to the misrepresentations of federal paragraphists in this country; and that with the feeble and false light they shed on the acts of the last session, it undertakes boldly to denounce them. When a print, ordinarily characterised by a spirit of friendship to this country, is thus made the victim of such misrepresentation, what estimate shall we form of the general state of information possessed in England relative to our measures? Is it not to be feared that it will be tinged with the darkest colors of party detraction? And is there not some reason also to apprehend that the government itself will yield in a degree to the infection of public opinion, from a want of that correct information which is only to be derived from patient investigation?

"The intelligence from America, by the papers to the 17th, if the statements of the latter be worthy of credit, is very curious. It appears that the American legislature have agreed to authorize the President to employ the sum of 2,000,000 dollars, to facilitate the negociations with Spain; and, it is alledged, that this sum has actually been sent to Bonaparte as a fee to purchase his good offices. It is possible that this is the purchase money of the Floridas, which France is to compel Spain to cede, and this is the price paid in advance. But, whether as a fee, or as a price paid to France for the territory of a third party, the transaction appears to be of a very questionable nature. It has excited great indignation in the U. S. and it is regarded as unworthy of an independent nation. Indeed, if it be paid as a bribe to procure the mediation of Bonaparte, it is in the highest degree, base. If it be the purchase money paid in advance to Bonaparte for the territory he compels Spain to give up, it is the most immoral, disgusting transaction that can be imagined; because, it is neither more nor less than hiring a bully, or bravo, to procure for them an acquisition they covet, but which they have not the courage to attempt. Even if they had a right to the object, the manner is most dishonorable, and never, we believe, was heard of before among nations. The purchase of Louisiana was a pitiful affair, but nothing to this.

"We must remark again, however, that the transaction is not sufficiently explained in the papers which have arrived, to enable us to form a decisive judgment respecting it."

"*New-York, April 11.*—We are informed (says the Washington Federalist,) and we believe the information to be correct, that the U. S. sloop of war, Hornet, which sailed lately from N. York, carried two millions of dollars in specie (120,000lbs. or sixty tons of precious silver) part of it borrowed by government it is said, for the purchase of the Floridas. Reader, bear in mind that this vessel is not bound for Spain, to whom the Floridas belong, but to France. Recollect also the declaration of John Randolph, made with closed doors:—

"That the Secretary of State told him that our differences with Spain could not be settled—that France would not permit an adjustment with Spain—that France wanted money—that she must have it—and that we must give it."

"Are we indeed, then, a free people? or are we a tributary nation? Do we not truckle to France? And is it possible to believe, after this, that we shall not have more to pay whenever it pleases that nation to want it?

"We learn by a gentleman arrived from Washington (says a Philadelphia Paper,) that, in a debate in the House of Representatives, on Saturday last, Mr. J. Clay observed, that "he had been induced to vote for the appropriation of two millions of dollars, in consequence of the intimation given by the government of France, *that hostilities must take place with the United States—*UNLESS *such an appropriation was made!*"—Mr. Clay was here interrupted by the Speaker for *prematurely* making this disclosure."

"It is to be hoped we shall hear no more of the Independence of the U. S. of America, after the prompt, disgraceful, and dastardly compliance of the majority of Congress with the demand of two millions of dollars, made by Bonaparte, through the medium of his artillery officer, general Turreau, under the pretence of purchasing the Floridas! Yes, the word independence ought to be erased from our records, and the declaration thereof sent off with our *tribute money*—lest we become a bye-word and a reproach among nations! Will the world believe that the emperor of the French has had the insolence to inform our government, by a military nobleman, that, unless we sent him, to help and support the pomp and parade of his throne, two millions of dollars, in specie, Spain should go to war with the United States respecting Louisiana, and that France, as her ally, would assist her in the war! Yet such is the fact. And more: such has been the trepidation with which the whiskers of this warrior minister have struck the administration of our government, that Congress has complied with the demand, and the *back stairs* parasites of the executive have been called upon to close the doors of Congress to vote this immense sum of money in secret Divan, and send it off to France—not to Spain—with most infamous haste! *Tell it not in Europe!* publish it not *in the streets of America!*"

"*Boston Centinel.*"

"*New-York, April 12.*

"*Extract of a letter from Washington, dated April 5.*

"The House of Representatives was this morning in a state of disorder and confusion that is a disgrace to the nation. Mr. Randolph moved to have the secret journals amended, by inserting a confidential message of the President, that had been omitted. Upon which motion he came out in a very spirited and animated stile against the whole secret proceedings, against the executive, and 'his dirty underlings in the House.' He particularly denounced Madison, and declared that his confidence in him had ceased forever; that Madison told him early in the session—'France wanted money, and would not let Spain treat with us until we gave it to her.' He said, the money was not given for land, but for peace. There were a great variety of motions made in order to get rid of Mr. Randolph's. Appeals were made from the decisions of the Speaker. Seven, eight, and ten members were up at once, until they became a complete national convention, and had to adjourn from necessity; every spectator in the house crying out—*Shame! Shame!*"

It is with great pleasure that we peruse the proposals for publishing by subscription the *works of Benjamin Franklin*, inserted in the Aurora; which the Editor of that print announces as follows:

"One edition has been lately published in England in three volumes octavo; the papers contained in these volumes will be revised and compared with the papers in the possession of the Editor of the Aurora, which are corrected in the hand writing of Dr. Franklin; and a considerable addition will be made of interesting papers, which have not appeared in any former edition; a few manuscripts never before published, and which are not noticed in the English collection lately published.

"The publisher had for a considerable time past contemplated this publication, and had collected a number of articles which had accidently fallen into his hands, and others, which by much industry he has been able to procure.

"The additional papers it is presumed will form two additional volumes.

"The whole will be put to press, as soon as the Diversions of Purley are completed—and will be printed on a superfine paper, and in a style suitable to the value of the work.

"The price to subscribers for each volume will be 250 cents, payable only on delivery.

"A printed proposal will be circulated without delay, and subscriptions will be received at the bookstore of the publisher, Wm. Duane, and by the different booksellers throughout the United States.

Who is there that can behold the following picture of political persecution, without feeling indignant at the humiliating degradation to which intolerance reduces its victim? We trust Mr. Osborn will fully expose the conduct of his oppressors.

FROM THE WITNESS.

Litchfield, (Con.) July 9.

I have hitherto been sparing of my remarks on my present imprisonment—well knowing that a man's too frequent speaking of his own sufferings is tedious to hearer. But some late circumstances which have occurred, ought to be known by my friends and the public at large—the narrative of which shall be as brief as possible.

It was evidently calculated by the instrument of federal vengeance, that the bare confinement of the editor of the Witness would of itself be sufficient either to induce his submission to terms (which terms were no more or less than *bonds for what a federal court should please to say was "good behaviour;"*) or to vitiate and depress his spirits so as to destroy the usual tone of his writings. It has been lately equally evident, that disappointment in this double object has induced the managers of federalism in this vicinity to try how far encreasing rigor would effect it. Still failing of success, a bold push was determined on; and a cold push it was, as the sequel will prove.

It is with regret that I find myself obliged to touch the wounds, already too distressing, of an afflicted family, by detailing the first instance of malice to the high sheriff and his masters, the federal junto.

On the afternoon of Friday, the 27th ult. an *unfortunate young man who had been insane for several years*, and who, *the day before* had *shed the blood of an innocent female*, was brought to prison by Mr. Sheriff Landon—The doors of my cell were opened—the young *maniac* was thrust in the room by the sheriff with sullen & contemptuous silence—and the maniac, whom for the safety of society, it was deemed necessary to confine in prison, was left in a close room with me, without a single word of explanation or caution from the *humane, polite*, and *dignified* sheriff!

On hearing of this shameful outrage a number of gentlemen, mostly republicans, struck with horror at such proceedings, called upon the *humane* high sheriff, and after a spirited remonstrance, persuaded Mr. Sheriff Landon to remove the new prisoner to another room, previous to doing which, however, *let it be remembered*, Mr. Landon consulted the prisoners who were in *that* room, enquired of them if they feared to admit the man, whom he described as insane, and advised them to guard themselves against any violence which he might possibly commit——a piece of politeness by the way, of which he had before thought the obnoxious editor of the Witness unworthy.

The next day Mr. Sheriff declared his intention to put all the *criminals* as he stiled them, together; stating as his reason, that he was fearful that if he put debtors with me, who was a *criminal* even with their own choice and consent, he should be troubled; of course debtors must go by themselves! This is as inconsistent in relation to facts, as it is weak and fallacious on the face of it, for it was very common for him to put debtors with the criminals, previous to my imprisonment, when no one was in the room I now occupy! There were many reasons why debtors would choose to room with me, as they invariably did; and was it not idle in Mr. Landon to say he feared debtors would trouble him for indulging their choice in such cases?

On Monday the threatened arrangement took place; and I was put into the room with two criminals, one of whom has been, and another is to be tried for life. This arrangement afforded a tolerable excuse for another, viz. the orders of the *humane* and impartial high sheriff to keep the doors of my cell shut, so that my friends could see me only through a crevice in the wall!

The republicans of this vicinity immediately convened, and appointed a committee, who personally delivered, with my consent, the following communication to the high sheriff, in writing, that no misunderstanding should arise.

(No I.)

Litchfield, July 1, 1806.

SIR,

With the particular approbation of Mr. Osborn, and in pursuance of the request of a respectable number of the inhabitants of Litchfield, who have witnessed with indignation and sorrow the late *extraordinary* and in their opinion, *illegal* measures, which you, as sheriff of the county, have adopted against him—and because we are unwilling that the life of a worthy, and much esteemed fellow citizen should fall a sacrifice to the rigour of his imprisonment, which has already severely affected his health—we claim of *your duty* as sheriff, your serious attention to the following proposition, and if, the requisition it contains be legal, your compliance.

We claim that Mr. Osborn, by the laws of this state, founded on the immemorial usage of sheriffs in a similar case, is entitled to the liberties of his prison—on finding *sufficient bail* that he will abide the limits.

He now informs you, through this medium, that he is ready with bail to any reasonable amount, and to the responsibility of which no objections can be made. We therefore for *him* request that you admit him to the *liberties* of the *jail.*

Mr Osborn, we conceive, is not a *criminal* prisoner, even in a *legal* sense—and in the opinion of many, his imprisonment is *honorable* to him. He is in goal merely a *debtor*——The judgement of the court, was not that *for the libelled libel* he should be *punished* with *imprisonment*——but that for *non* compliance with their order he should stand *committed*——(i. e.) that on failure to pay the debt ascertained against him by said judgement that, as in all other cases of *debt* he should be committed to prison. Is it then *your duty* to treat him with harshness and ignominy? closely to confine him, where he can breathe only the poisonous vapors of a loathsome dungeon? is it your duty to thrust into his narrow room, without *any warning*, the unfortunate and dreadful maniac, his hands drenched and still wet with the blood of one victim, or to harrow up his feelings, or to excite his horror by crowding into his dark and miserable habitation, and associating with him *felons*, charged with murder; and with crimes, if possible still more disgraceful. This, we conceive it was not your duty to do. We remonstrate against it——We request that he be admitted to the *liberties* of the prison yard.

JOHN R. LANDON, Sheriff.

The sheriff having peremptorily refused compliance with this, the following was next presented.

(No II.)

Litchfield, July 1, 1806.

SIR—As you have thought proper to deny to Mr Osborn the liberties of the prison, of which you are appointed keeper. We are therefore desired and authorized to state, that it is his peculiar wish to be permitted on sabbath days to attend *public worship*. His health, which from close confinement, want of exercise, and the impure air of his prison has greatly suffered, requires this privilege. His *education*, his *habits*, from childhood—his feelings and sentiments on this subject, make it of the first importance that he should be allowed *publicly* to join in the *worship of his God.*

He is ready with *surety* to engage that this privilege shall not be abused.

We are confident, that no law forbids this indulgence; from the causes above mentioned, Mr. Osborn has been dangerously sick——is now ill. No law requires the *life* of Selleck Osborn, and to gratify a *party*, we trust the sheriff of a county will not go *beyond* law.

JOHN R LANDON, *Sheriff.*

This having met with the same fate, the third as follows, was presented——

(No. III.)

Litchfield, July 1, 1806.

SIR—We shall need no apology, in the mind of any person not lost to every sentiment honorable to man, that we persevere in our attempt, at least to *lessen* the hardships of the confinement, to which Mr. Osborn is now subjected. Till within these few days; his imprisonment, though under the circumstances rigid, was, compared with his present situation, comfortable. His friends are not now admitted to his room. He is no longer confined with *debtors*—but with *criminals*—one who was imprisoned on a charge of murder—the other still resting under the imputation of a crime, by our laws *equally penal—more detestable.*

A man in the important office of *sheriff*, ought not to be actuated by caprice—by passion—or the mandates of any person behind the scenes.

To what cause to attribute this change we know not. Mr. Osborn in prison has been universally civil and condescending. There being now except himself, but *one* debtor in gaol, it seems at this time peculiarly unnecessary that this change should have been made.

We request, you, sir, no longer thus to attempt to degrade your prisoner—restore him to his *former situation*, with the debtors in goal. Allow him still to see his friends. Rather than oppress and make him uncomfortable while under your care, render his situation as little unpleasant as the *duties* of your office will permit.

JOHN R. LANDON, *sheriff.*

The sheriff then said, as these were made in a formal way, he would consider them further, and decide ultimately after consulting his friends and some lawyers at Town-Hill—notwithstanding he had told me the day before, that he was influenced by no party in the discharge of his office! Were those *friends* and lawyers he consulted, men of both parties, or were they one and all federalists, whose hatred towards me was little less than infernal?

A decision to be dictated by Town Hill federalists left no room for doubt or hope—and the Editor remains immured in a small, damp and loathsome room, with only one crevice to admit air, in company with felons!

Whatever pretence Mr. Landon may make I am convinced there is a double design in this conduct, to interrupt my Editorial labors, and to waste my health and spirits by extreme rigor. But if God gives me tolerable health, they shall be disappointed; if not, the last dash of my pen, shall be employed in recording the villainy and hypocrisy of a junto, who have too long perverted the feelings and imposed on the credulity of a virtuous people.

The man who obtains and holds his office by sycophancy, will exercise it with tyranny.

From the American Citizen.

UNITED STATES, vs. COL. SMITH.

On Monday the 14th inst. the district Court for the district of New-York was held pursuant to adjournment; present Judges Patterson and Talmage. Judge Patterson having delivered a charge to the Grand Jury, clothed in neat diction, the court proceeded to the trial of the defendant.

Counsel for the Prosecution.

Mr. Sanford, District attorney.
Mr. Pierpont Edwards.

For the Defendant.

Mr. Harrison,
Mr. Hoffman,
Mr. Emmet,
Mr. Colden,
Mr. W. Morton.

In our report of this extraordinary case we must content ourselves with laying before the reader, in substance, a statement of the proceedings, and this will perhaps be as acceptable as the necessarily long and tedious details which in another form may hereafter be given.* We were in court from the opening to the termination of the question to which we must now confine ourselves, and if in our statement we have no other merit, we may claim that of faithfulness.

After the jurors were called, but before they were sworn in to try the defendant, a list of the witnesses was read, on which were the names of James Madison, Secretary of State, H. Dearborn, Secretary at War, R. Smith, Secretary of the Navy, G. Granger, Post Master General, Jacob Wagner, Chief Clerk in the Department of State, William Thornton, an officer in one of the Departments of Government, George Clinton, jun. a member of the House of Representatives, and S. R. Bradley of the Senate of the United States. All these witnesses were absent.

The district attorney, Mr. Sanford, moved the court to proceed to the trial of the defendant.

Mr. Colden, for the defendant, rose and stated that the absent witnesses named had been regularly subpoenaed; that an officer had in person subpoenaed Mr. Madison, and tendered him a reasonable compensation, to wit, 20 dollars, and that on Mr. Madison's intimating that it would be inconvenient to attend the court at New-York in person, the officer enquired whether he objected to the "quality or quantity" of the sum tendered, on which Mr. Madison remarked that it was unnecessary to add any thing on the subject.

Having made this statement, which may be termed the lumber of the law, Mr. Colden applied to the court for compulsory process against Madison, who according to the defendant's affidavit on the file of the court, was, he said, a material witness; and in support of his application he read article 8, of the amendments to the constitution, and the several sections of the acts of Congress

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* It is understood that Mr. Lloyd, the stenographer, who attends the court will publish in a book form a report of the trial.