PHILADELPHIA, March 16, 1801.

TIOMTHY PICKERING
versus
JAMES REYNOLDS, M. D.

Supreme Court, Pennsylvania.

This long continued action, came to a hearing on Thursday last; but the anxiety of the public respecting it, must still continue; for owing to the circumstances we are about to relate, the suit is *still* pending.

We are perfectly aware, that any publication of a trial, or parts of a trial, before it be completely finished may in some cases have an improper effect on the future proceedings; and we have too much reverence for the laws, and too much respect for the expounders of them, wilfully to say, or do any thing, that shall amount to a breach either of the public, or private decorum.—We sincerely wish every practitioner at the bar, could, with equal truth, say as much on the present occasion.

But we cannot conceive that a faithful abstract of what was said and done IN PUBLIC, under the inspection and direction of the court—in a place to which any citizen whatever might have been admitted—and whereat, a very numerous assemblage of spectators and auditors were actually present, can be improper to be repeated by the editor of a public paper, whose duty it is to lay before the public, whatever information he can procure on a question of public interest and importance

This was a civil action for damages, brought by Mr. Pickering against Dr. Reynolds, grounded on a paragraph in the Aurora, which charged Mr. Pickering with having improperly and illegally received five dollars for a passport delivered at Mr. Pickering's office. There was no positive proof of Dr. Reynolds having been the author of that statement; but from the evidence of Mr. Brown the printer, and Mr. Wotherspoon, a presumption arose that Dr. Reynolds was in fact the author; nor indeed did his counsel (Mr. Dallas) deny it.

Mr. Wotherspoon, on whose authority the assertion was made by Dr. Reynolds, was equally called upon as a witness by both parties: and from his evidence it appeared, that although he did give the information to Dr. Reynolds, and did state to him and to others, that Mr. Pickering was the person who took the money, yet that in fact, the person who took it was a clerk of Mr. Pickering's and not Mr. Pickering himself. So that Mr. Wotherspoon was in fact the original author of the misinformation, and by him Dr. Reynolds was led into the mistake.

On the part of Dr. Reynolds, Mr. Samuel Israel and Mr. Elisha Griffith proved, that Mr. Wotherspoon in their presence informed Dr. Reynolds, that Mr. Pickering took the money from him, and on being requested to describe the person, he gave such a description as induced Mr. S. Israel to conclude that it must have been Mr. Pickering.

It did not appear that Mr. Wotherspoon knew Mr. Pickering personally at the time, but he concluded from the circumstances, that it must have been Mr. Pickering who took the money, and thereupon made the assertion. It did net appear that Mr. Pickering knew of or connived at the money thus taken by the clerk; but it was customary with him to leave blank passports ready signed.

This is the substance of the evidence given.

Messrs. Lewis, E. Tilghman and Rawle, were the counsel for Mr. Pickering—Mr. Dallas, for Dr. Reynolds. Mr. Rawle was absent from indisposition.

On summing up, the Chief Justice was of opinion that the publication did amount to a libel; but that as Dr. Reynolds appeared to have acted under a mistake, it was a palliation of offence, and ought to weigh in mitigation of any damages the jury might think proper to give. That whether Dr. Reynolds was the author of the libel or not, whether it was published maliciously or not, and what the amount of damages ought to be, were questions within the province of the jury, and which the court left to them, to determine.

The jury by consent of the counsel on each side, and with leave of the court separated that night, and met the next morning. After much time spent in deliberation, they came into court and informed the judges they could not agree. They were sent back and again returned in the evening with the same account, and wished to be discharged. Judge Smith, expressed himself strongly against this measure as it would tend to destroy in effect the trial by jury. At this period, in consequence of the disagreements among the jury-men on the points committed to their charge, and questions put by them to the bench, Judge Shippen, with the concurrence of his brethren, declared his opinion, that in point of law the publication was a libel; and that if they found the publication only, the finding under the direction of the court, would be considered as finding the libel. That it was certainly in their power to judge of the law and the fact, and to bring in a general verdict, which the court was bound to receive, but that the juries were judges of the law and of the fact under the direction of the court. (These are the words of the constitution.)

Judge Brackenridge, declared the publication to be in his opinion in point of law a libel: but he thought the evidence adduced repelled the charge of malice brought against the defendant: and herein (if we understand right) J. dge Smith, seemed to agree with him.

We forbear to mention any topics of difference among the Jury, though from their information to the court, we might have gathered them with tolerable accuracy. But we know of no advantage such information can be of to the public, nor do we wish to retail opinions, but such as come with practical authority.

On the morning of Saturday the Jury after having continued together all night, returned; stating the same difference of opinion, and begging to be discharged: one of them complained of sickness. They were discharged by the court, but with the decided dissent of Judge Smith. The cause, therefore, will have to be again tried, before another Jury at a future time.

The convention between Russia and the Porte respecting the Venetian Isles has been published in the London papers, and is as follows:

In the name of God Almighty.

The isles formerly subject to the republic of Venice, since for a time the prey of the French, having been lately delivered from the Gallic yoke, under the dispensations of the supreme Arbiter of victory, by the united fleets of Russia and the sublime Porte, co-operating with the efforts and unanimous wishes of the people by whom they are inhabited.

His majesty, the emperor of all the Russias, and his majesty, the Ottoman emperor, having agre d to observe in respect to those isles, and their inhabitants, the principles of which the obligation was solemnly recognized in their treaty of alliance:

And the dignity of the two crowns requiring that they execute a promise, which was by both parties publicly made:

It has been, therefore, resolved to establish in those isles a form of government, which notwithstanding their vicinity to the dominions of the sublime Porte, shall give no cause of alarm to its authority, and which shall likewise be duly accommodated to the habits, customs, religion, and wishes of the people of the isles.

To accomplish this beneficent purpose, his imperial majesty, the emperor of Russia, has nominated as his minister and envoy extraordinary to the Ottoman Porte, the high and noble Wassely Tamara, knight of the class of the order of St Anne, and commander of the sovereign order of St. John of Jerusalem. His imperial majesty, the Ottoman emperor, has nominated as his plenipotentiaries for the same end, Ismet Bey and Ahmed Atif, Reis Effendi. And these ministers, after the mutual communication of their powers, have agreed on the following articles of convention:—

1. The said isles, lately under the dominion of Venice, shall form a republic, to be governed by the principal inhabitants, and like that of Ragusa to enjoy therein vassalage, the protection of the Porte, and to acknowledge its sovereignty. Russia is guarantee of the integrity of this republic.

2. These isles, Corfu, Cephalonia, Cerigo, Santa Maura, Ithaca, &c. shall be called the Seven United Isles, and shall enjoy the same privileges as Ragusa. The two powers will ratify the new constitution of their republic, as soon as it shall have received the consent of the inhabitants.

3. The inhabitants of these isles shall enjoy, in Turkey, the same privileges with the Ragusans. They shall be at liberty to entertain there a consul: and their ships be equally protected from the piracy of the states of Barbary.

4. The republic shall pay to to the Perte an annual tribute of 75,00 piastres (or about 15,937l. 10s. sterling). This tribute like that of Ragusa, shall be transmitted to the Porte by solemn embassy. The subjects of the republic shall pay no other tax, duty, or imports, to the Turkish government.

5. In case of necessity, Russia and the Porte shall during war, but at no other time, place in the isles a military and naval force for their defence.

6. The ships of the republic shall in future, be free to navigate the Black Sea, under their own flag.

7—10. The late Venetian territories of Prevess, Parga, Gouitz, and Butrento, which are situate on the continent, and adjacent to Albania, shall in future belong to the Porte; and the christians of these countries shall, like those of Wallachia and Moldavia, obey a Turkish governor. None of the territorial property may be purchased by Mahometans. The Rajahs, or native Princes of these districts may rebuild the churches. For two years they shall be free from taxes. From that time they shall pay to the Porte the same tribute they before paid to Venice.

11. As a mark of the friendship of his majesty the emperor of Russia for his majesty the emperor; and to shew, at the same time, what an interest the former takes in the welfare of the Porte and its allies; he promises to use his good offices upon a general peace, to procure his allies and other powers to accept and guarantee the 2d, 4th, 7th and 8th articles of this convention, which respect the political existence of the republic of the Seven Isles.

12. The present convention shall be ratified within the space of two months.

Done at Constantinople.

ESSEID IBRAHIM,
(Signed) AHMED ATIF, Reis Effendi,
W. TAMARA.

DEPORTATION LIST.

Extract from the Registes of the Deliberations of the Consuls of the French Republic.

PARIS, NIVOSE 14.

The Consuls of the Republic, upon the report of the Minister of Police, the Council of state having been heard, decree as follows:

Art. 1. Shall be put in special surveillance out of the European territory of the Republic, the citizens whose names are undermentioned:—

Louis Andre; Andre-A. C. Bailly; Jean-Francois Barbier; Baudray, Rue de Marivaux; Belcher, Rue de la Pepiere; Boisjolly, dit Chretien; Antoine Boniface; Adrien Antoine Bormans; Mathurin Bouin, de la Division des Marches; Jacques Dreban; Jean-Michel Brifevin; Brochet, Rue du Vieux-Colombier; Laurent Barlois; Pierre-Maurise Cardinaux; Pietre Carrette; Cevral, President aux Massacres de Septembre; Joseph Chateau; Joseph Hugot Chateu-Neuf, pere; Philippe-Valerie-Hugot Chareau Neuf, fils; Claude Chalandon; Charles-Auguste Cheval; Claude-Louis Chevalier; Chodieu; P. Nicolas Chretien; Claude Collette, Faubourg Antoine; Coquerelle, Rue de Crucifix; Jacques Cordas; Adre Corchant; Pierre Cozzere; Jacques Crespin; Crosneir, Rue des Postes; Vilain Daubigny; David, Marchand de Vin. Rue de Theatre Francais; Robert Guilhaume-Antoine Delabarie Jean Baptiste-Edopard-Joseph Delrue; Nicolas Joseph Derval; Hugues Distrem; Georges-Laurent Dervilie; Pietre Docatel; Francis Durour; Guillaume, Jean Dupont; Joseph Dusoussy Paul-Marie-Dominique-Bonaventure Eon; Claude Antoine Fiquet; Claude Flamant; Fontaine quai Pelletier; Francois Fouryon; Charles Fournier Americain; Barthelemy Freniere; Jean Joseph Fyon; Gabriel, ouvrier Septembriseur; Jean Baptiste-Georget; Jean Louis Gerhaux; Giraud, Rue due Vert Bois; Jn. Gossot; Louis Gosset; Jean Baptiste Goulard; Bertrand Guiliemont; Cs. Hess; Humblet, Rue Duval; Jacques Chrysostome Sacqot Villeneuve; Etienne Jallabert; Rene Jolly, Septembriseur; Didiet Jourdeuil; Jean Pierre Lageraldy; Theodore Lambertho; Antoine-Jean-Baptiste Laporte; Bertrande Lacombe; Lefebvre, Colonel de Gendarmerie; Pierre Lefebvre; Jean Baptiste Antoine Lefranc; Legrois, aine Septembriseur; Louis-Julien Lemmery; Felix Lepelletier; Louis-Marie Daniel-Francois Victor Lepine; Julien Leroy, dit Eglator, Jean Nicolas Lesueur; Rene-Francois Lebois; Jean-Pierre Linage; Christophe Linage; Louis, dit Brutus; Jean-Gratien-Alexandre-Festre; Mamin; Michael Marlet, Septembriseur; Joseph Maignan; Ambroise Marconnet; Rene Francois Marseu; Marquesi, de Toulon; Jean-Francois-Julien Marcelin; Marchand, Grateur du Manage; Guillaume-Gilles-Anne Massard; Claude Metissiter; Pierre Metivier; Etienne. Michel du be arondisement; Sulpice Michel; Francois Millieres; Moncuse, Marchland de Vin; Louis Moreau; Mulot, Faubourg St. Marin; Jean Niquille; Charles Pachon; Nicolas Paris; Francois Ferrault; Pierre Athanese Pepin-Deprouettes; Jean-Baptiste Pradel; Gabriel-Antoine Prevost, Septembriseur; Joseph uvinou, Septembriseur; Claude-Marie Richardet; Piere Richoter Rivierre, Rue des Pietres-Saint-Paul: Rossiginol General del'Armee Revolutionaire; Robert Rossiele; Jacques-Gallebois, St. Amand, Septembriseur; Jean Sauidier; Charles Saulnois; Nicholas Francois, dit Lyonnis, Serpolle; Jaques Taillcter; Sebastian Hubert; Thirten, Fauborg-Antoine.

The ministers of marine and general police are charged with the execution of the present arrette.

The First Consul. (Signed)
BUONAPARTE.

Kid, Eliot & Co.

At the Brick Store opposite BLODGETS' HOTEL.

HAVE received by the Brig UNION, Capt. Leonard, from Liverpool, a large supply of Crockery Ware. Some of which is well assorted in small cases for the country.

Also, by the same Vessel.

White Lead, ground in oil.
Spanish Brown do.
Red Lead, Patent yellow, &c. &c.

They expect by the Roba and Betsey arrived at Norfolk, an additional Invoice of crockery and a large assortment of Glass ware. All which will be sold at the Philadelphia prices.

Dember 28.

LOTS FOR SALE,
In the City of WASHINGTON.

THE SUBSCRIBER offers for Sale a number of valuable Lots beautifully situated between the Capitol and the Eastern Branch. Also a few Lots to be let on lease for ninety-nine years in the vicinity of the Navy yard.

WILLIAM PROUT.

City of Washington. December 12, 1800 tf

N B A few Tons of good Meadow Hay, one Kiln of Bricks, and some Cord Wood.

W. P.

Robert Greenhow.

Merchant in Williamsburg, Virginia.

BEING desirous to withdraw in a great measure from the further pursuit of Business, offers for sale the whole of his well known General and aluable Assortment of Merchandise amounting probable at their prime cost, to Eight or Ten Thousand pounds sterling, of which an idea may be formed by referring to a printed list deposited in this office—Not wishing to divide the stock applications by letters post paid will be by him received as to the purchase of the whole of it.

Feb. 2, 1801. tAp

Public Sale of LOTS,
IN WASHINGTON CITY.

WILL be Sold at Public Auction, to the highest bidder, on Friday the 1st day of May next, at William Tunnicliff's Hotel. Two Hundred Lots, situated Eastward of the Capitol and near to the Eastern Branch Ferry— he terms will be one half Cash and the other half at 60 days on Notes negotiable at the Bank of Columbia satisfactorily endorsed. An indisputable title will be given by,

GEORGE WALKER.

Washington, March 2, 1801. tMay1

FOR SALE,
A Valuable Tract of
LAND,

LYING in part on the main Richmond road, a mile from the Rappahanock River, four Miles below Fredericksburg, (in a healthy and most agreeable neighbourhood,) containing about five hundred and thirty three ACRES well watered, upon the said Tract there are about two hundred and fifty acres of Wood Land, the greater part of which is equal if not superior in quality to any high lands, yet uncleared in Spotsylvania. There are upon it a dwelling house, necessary out houses, a very large barn, and a most valuable Mill seat, with a mill-house already built, capable of Manufacturing Twenty thousand Bushels of wheat annually, after being put in perfect repair. There is also upon it about sixty Acres of first rate meadow land, part of which is already reclaimed and has produced very heavy crops of Timothy Hay. The above Land is bounded by the lands of Gen. A. Spotswood, Messrs Wm. Herndon, Mann Page, Francis Taliaferro, and the Tract the subscriber at present lives on. Any further discription I deem unnecessary as those who may be disposed to purchase will of course view the land. Upon said tract there are about one hundred and thirty Bushels of Wheat sown, the greater part of which look well and promising.

The said tract of land will be sold by the subscriber at private or public sale, three fourths of the purchase money to be paid on the day of sale, and the ballance in twelve months, bearing interest from the date, the purchaser giving bond with approved security. If not sold by private sale, by the first Monday in May next, it will then be sold on the premises on that day if fair, if not the next day to the highest bidder. The land in the mean time will be shewn to any person who may wish to purchase by Messrs Francis Taliaferro, James Tutt, Wm. Darnaby and the subscriber.

LAURENCE BROOKE.

March 18, 1801. tM