

each the ballots of the state be equally divided, then the word "divided" shall be written on each duplicate, and the said duplicates shall be deposited in manner hereafter prescribed, in boxes to be provided. That for the conveniently taking the ballots of the several representatives of the respective states, there be sixteen ballot boxes provided for the purpose of receiving the votes of the states—after the delegation of each state shall have ascertained the vote of the state, the sergeant at arms, shall carry to the respective delegations the two ballot boxes, and the delegation of each state, in the presence and subject to the examination of all the members of the delegation, shall deposit a duplicate of the vote of the state in each ballot box; & where there is more than one representative of a state, the duplicates shall not both be deposited by the same person. When the votes of the states are all thus taken in, the sergeant at arms shall carry one of the general ballot boxes to one table, and the other to a second and separate table. Sixteen members shall then be appointed as tellers of the ballots; one of whom shall be taken from each state, and be nominated by the delegation of the state from which he was taken. The said tellers shall be divided into two equal sets, according to such agreement as shall be made among themselves; and one of the said sets of tellers shall proceed to count the votes in one of the said boxes; and the other set the votes in the other box—and in the event of no appointment of teller by any delegation, the Speaker shall in such case appoint. When the votes of the states are counted by the respective sets of tellers, the result shall be reported to the House; and if the reports agree, the same shall be accepted as the true votes of the states; but if the reports disagree, the states shall immediately proceed to a new ballot in manner aforesaid.

7h. If either of the persons voted for shall have a majority of the votes of all the states, the Speaker shall declare the same; and official notice thereof shall be immediately given to the President of the United States and to the Senate.

8th. All questions which shall arise after the balloting commences, and which shall require the decision of the house, shall be decided without debate.

MONDAY, Feb. 10, 1801.

Mr. Nott obtained leave of absence from Thursday next.

The memorial of Aaron Waitt and Jerathamael Peirce was presented, and referred to the committee of commerce and manufactures.

The petition of Samuel Gibbs was presented and referred to the committee of the whole.

Mr. S. Smith, from the committee of commerce and manufactures, reported against the prayer of the petition of Turpin Kilty, which report was confirmed by the house.

Mr. Macon from the committee of claims, reported against the prayer of the petition of Thomas Harris, which report was confirmed by the house.

Mr. Rutledge, from the committee appointed on the part of this house, jointly with the committee appointed on the part of the Senate, to ascertain and report the mode of examining the votes given for President and Vice-President of the U. S. of notifying the persons elected of their election, and the time, place and manner of administering the oath of office to the President, reported that the committee had taken the subject referred to them under consideration, but had come to no agreement thereupon.

A message was received from the Senate, informing the house that they had passed the Judiciary Bill.

A message was received from the Senate, as follows:

Mr. Speaker, the Senate will be ready to receive the House of Representatives in the Senate chamber on Wednesday next at 12 o'clock, for the purpose of being present at the opening and counting of the votes for President of the U. S. The Senate have appointed a teller on their part to make a list of the votes for President of the U. States, as they shall be declared.

The house proceeded to consider the report made on Friday last, from the committee appointed to prepare and report rules proper to be observed in the choice of a President of the U. S.

The report was committed immediately to a committee of the whole, Mr. Morris in the chair.

The committee rose and reported their agreement to the report, with one amendment, viz.

Insert instead of 8th rule in report, which is in the words following—"All questions which shall arise after the balloting commences, and which shall require the decision of the house, shall be decided without debate"—the following words:

"All questions which shall arise after the balloting commences, and which shall

be decided by the house voting per capita, to be incidental to the power of choosing the President, and which shall require the decision of the house, shall be decided by states and without debate; and in case of an equal division of the votes of states, the question shall be lost."

The house agreed to said amendment. A motion was made that the house do disagree with the committee of the whole in their agreement to the 4th rule, viz. "After commencing the balloting for President, the house shall not adjourn until a choice be made."

On which the question being taken by yeas and nays, it passed in the negative, as follows: Yeas 47—Nays 53.

Y E A S.
Messrs. Alton, Bear, Bailey, Bishop, R. Brown, Cabell, Christie, Clay, Claiborne, Condit, Dawson, Eggleston, Elmendorf, Fowler, Gallatin, Goode, Gray, Hanna, Heister, Holmes, Jackson, Kitchell, Leib, Lincoln, Lyon, Lynn, Livingston, Macon, Muhlenberg, New, Nicholas, Page, Randolph, Smilie, J. Smith S. Smith, Spaight, Stanford, Stone, Steuart, Taliaferro, Thompson, A. Trigg, J. Trigg, Tazewell, Van Cortlandt, Varnum—47.

N A Y S.
Messrs. Bartlett, Bayard, Bird, J. Brown, Champlain, Cooper, Craik, F. Davenport, J. Davenport, Davis, Dennis, Dent, Dickson, Edmond, Evans, Foster, Freeman, Glen, C. Goodrich, E. Goodrich, Gregg, Griswold, Grove, Harper, Henderson, Hill, Huger, Inlay, H. Lee, S. Lee, Mattoon, Morris, Nott, Otis, Parker, Pinckney, Platt, Powell, J. Reed, N. Read Rutledge, Shepard, J. C. Smith, Sheaf, Tenney, Thatcher, J. C. Thomas, R. Thomas, Wadsworth, Wain, R. Williams, L. Williams Woods—53.

A motion was then made to disagree with the committee of the whole house in their agreement to the 5th rule, as follows: "The doors of the house shall be closed during the balloting, except against the officers of the house."

On the question being taken by yeas and nays, it passed in the negative, as follows: Yeas 45—Nays 54.

Yeas.—Messrs. Alton, Bailey, Bishop, R. Brown, Cabell, Christie, Clay, Claiborne, Condit, Davis, Dawson, Dent, Eggleston, Elmendorf, Fowler, Gallatin, Gray G. Ogg, Hanna, Heister, Holmes, Jackson, Leib, Lyon, Livingston, Macon, Muhlenberg, New, Nicholas, Randolph, Smilie, J. Smith, S. Smith, Spaight, Stanford, Stone, Steuart, Taliaferro, Thompson, A. Trigg, J. Trigg, Tazewell, Van Cortlandt, Varnum, R. Williams—45.

Nays.—Messrs. Baer, Bartlett, Bayard, J. Bird, Brown Champlain, Cooper, Craik, J. Davenport, F. Davenport, Dennis, Dickson, Edmond, Evans, Foster, Freeman, Glen, Goode, C. Goodrich, E. Goodrich, Griswold, Grove, Harper, Henderson, Hill, Huger, Inlay, H. Lee, S. Lee, Lincoln, Linn, Mattoon, Morris, Nott, Otis, Page, Parker, Pinckney, Platt, Powell, J. Reed, N. Read, Rutledge, Shepard, J. C. Smith, Sheafe, Tenny, Thatcher, J. C. Thomas, R. Thomas, Wadsworth, Wain, L. Williams Woods—54.

The entire report was then agreed to by the house.

TUESDAY, Feb. 10.

The House of Representatives passed a resolution, that they would tomorrow at 12 o'clock attend in the Senate chamber for the purpose of being present at the counting of the votes for President & Vice-President, and that Mr. Rutledge and Mr. Nicholas be the tellers on the part of the House.

Mr. Bayard moved an additional rule in relation to the Presidential election; viz. that 500 tickets should be printed, on which should be printed the name of Thomas Jefferson, and 500 on which should be printed the name of Aaron Burr, and that the members in balloting should be confined exclusively to these.

The Speaker requested Mr. Bayard to modify his motion, so that 600 tickets should be printed, and that after Thomas Jefferson, should be printed, of Virginia, and after Aaron Burr, of New-York, as he (the Speaker) had given direction to this effect, to which Mr. Bayard agreed.

After debate the motion was rejected, and the members left at liberty to use either written or printed tickets.

A Bill, reported by the committee of revision and unfinished business, for continuing in force the act suspending commercial intercourse with France was taken up, and after a warm debate rejected by a large majority.

On Thursday last Mr. Craik from the committee to whom was referred the Memorial of Thomas Herty, reported a Resolution authorizing the Secretary of State to purchase copies of Herty's digest of the Laws of the United States, to be distributed in the manner directed by the act, intitled "an act in addition to an act for the more general promulgation of the Laws of the United States," & a like number of the acts of the last and present Session proposed by him to be published.

On Monday a motion was made in Se-

nate by Mr. Morris, declaring, that in case of an equal vote being given for the two candidates for President and Vice-President, the House of Representatives should immediately proceed in the presence of the Senate to decide by ballot.

On this motion a long debate ensued; after which it was rejected by a majority of two votes.

WASHINGTON CITY.

THURSDAY, Feb. 12, 1801.

ELECTION OF A PRESIDENT.

Yesterday at 12 o'clock the House of Representatives repaired to the Senate chamber, where the votes for President and Vice-President were counted. It appearing that Thomas Jefferson and Aaron Burr, had an equal number of votes, the House returned to its own chamber, and with closed doors proceeded to the ballot, as follows:

Whereupon, the ballots being counted the following was the result:

1st Ballot.
Jefferson, - - 8 States,
Burr, - - 6
Divided, - - 2
No election.

February 12, quarter past 2 o'clock A.M.

21 Ballots—Result still the same.

On the first ballot the individual votes were for.

	Jefferson.	Burr.
N. Hampshire,	4	
Massachusetts,	3	11
Vermont,	1	1
Rhode-Island,	0	2
Connecticut,	0	7
New-York,	6	4
New Jersey,	3	2
Pennsylvania,	9	4
Delaware,	0	1
Maryland,	4	4
Virginia,	16	8
Kentucky,	2	0
N. Carolina,	9	1
S. Carolina,	0	5
Georgia,	1	0
Tennessee,	1	0
	55	49

* Mr. Sumter sick.

† Mr. Jones dead.

The individual votes on the succeeding ballots have occasionally fluctuated, without changing the general result.

Eight ballots were taken previously to 4 o'clock P. M. yesterday, all of which gave the same result, when the House adjourned for one hour—when being again resumed, 17 ballots were taken previously to 7 o'clock on this morning, all of which gave the same result.

The house are still in session.

It follows that as yet there is No Election.

We stop the press to announce that at 9 A. M. Feb. 12, the House adjourned to 12 o'clock, without producing any other result.

The Senate have passed the Judiciary bill without amendment.

NEW-YORK, January 26.

On Saturday evening arrived in town on their way to Washington, five Indian Chiefs, viz. Red Jacket, and three others of the Seneca Nation, and Saucorea, of the Tuscarora Tribe, accompanied by Mr. Jasper Parikh, their Interpreter. The main object of their visit to Congress is, we learn, to obtain satisfaction for the death of two Indians, who were shot last August, in cool blood, by two United Irishmen. There is some other difference to adjust, respecting the conduct of the surveyor employed by the Holland Land-company, who, it appears, in running the line, has taken in land which was not ceded to the company. These Indians left town yesterday at 2 o'clock.

MESSRS. LANG & CO.

As depredations on our commerce by the British subjects have not ceased in the West-Indies—and as our merchants are often embarrassed to know what measures they ought to pursue to regain property illegally captured—some extracts from an address on this subject, by Samuel Bayard, Esq. late agent for American claims in London, on the first of August 1798, will, no doubt, be highly acceptable to your readers; and which, it is believed, will prove useful to many sufferers by British captures.

EXTRACTS.

It is now generally known through the United States, that all appeals from the sentences of British courts of vice-admiralty, legally constituted, must be entered and prosecuted in England. That regularly the appeal should be there entered within nine months of the date of the sentence in vice-admiralty courts—where a claim has been made, and in twelve months where no such claim was made.

In too many instances the parties have unfortunately thought it sufficient to enter their appeals in vice admiralty courts under a persuasion that by this means their right to prosecute the same in the high court of appeals, was secured. With many this proved a most costly error.

The effect of such a step, amounts only to a formal notice of an intention to prosecute the appeal in question. In every cause of appeal

from the sentence of a legal vice admiralty court, the inhibition should be extracted from the registry of the high court of admiralty in London, within a year of the date of the sentence, appealed from. To this rule the lords of appeal have of late very rigidly adhered. Several recent cases have occurred in which claimants by accident or want of information, have been prevented from entering their appeals in London, within the time prescribed by law, have lost the right and been refused the liberty of appealing.

But great care should be taken by claimants to set forth under oath or affirmation, clearly and fully those circumstances which have operated to prevent their obtaining from the registry of the high court of admiralty in London, an inhibition, within the nine or twelve months (as the case may be) from the date of the sentence of the vice admiralty court.

Such of my fellow citizens as have suffered by recent captures, and such whose property may in future be captured by British cruisers, should with the least possible delay, after receiving advice of the capture or condemnation of their property, write to their agent or correspondent in London, relating as distinctly as they can from the information transmitted them,

1. The name of the vessel captured, and her master.
2. Of the owner or owners of the same, with a clear account of the property, claimed, that has been illegally condemned.
3. The name of the captor.
4. And (as nearly as can be ascertained) the substance of the decree of the vice admiralty court.

This information will always be sufficient to obtain an inhibition, and to secure the entry of an appeal—after which the parties as opportunities present, may procure authentic copies of the proceeding of the court below, and transmit them to their agent in London.

In order to obtain those copies of proceeding before the vice-admiralty court, the lords of appeal hold it necessary that the persons applying for the same, should render payment for them, otherwise, the registers of the different courts are not bound to deliver the copies required.

It is necessary to observe, that what has been said above is applicable only to appeals from the sentences of vice-admiralty courts legally constituted. Where proceedings have been had before the court without authority (such as the one now held at Cape N. Mole, by the pretended judge Cambaud) no appeal lies. The proceedings in such cases are considered as void, and the parties must institute their claims in the high court of admiralty, in London. There is no previous time limited for making such claims, but the interest of the parties will naturally dictate every degree of expedition that is practicable. The copies of proceedings before such court, are not indispensably necessary, but they may prove useful. Every kind of proof in the possession of the claimant, legally authenticated, should be forwarded to London with the least delay possible.

To the further proof that is frequently ordered by the high courts of admiralty and of appeals, and that may be directed by the board of commissions, the earliest and most particular attention should be given. It is not usual for the British courts of admiralty to specify the nature or degree of the further proof required.

They leave this to the judgment of the claimant and his council. If dissatisfied with the further proof, they not unfrequently required still further proof. In cases of this kind, the claimants should, without delay, furnish the best evidence in his power. He should send duplicates and triplicates of this evidence, duly authenticated, by different conveyances, and should satisfy himself that one of these copies had been received by the agents and put into his proctor's hands. His proctor should be directed to submit it to council, and have its deficiencies (if any should exist) distinctly pointed out. The claimant should be advised of these immediately, and should supply them, if in his power, by the first conveyance.

Early provisions should also be made for defraying the heavy expenses that attend the prosecution of a suit in the British court of admiralty.

The usual cost in a suit before the court of admiralty are from 150 to 200l. and in the court of appeals from 150 to 300l. sterling. Of these sums the proctors expect an advance from one third to one half, and when a decree is obtained, a settlement of their entire accounts.

February 4.

Capt Chase, arrived here yesterday, informs us, that Toussaint had marched against the Spanish part of Hispaniola, with 12,000 troops, where the disaffected blacks lately commanded by Rigaud, had taken refuge; and who had several times committed depredations on the property of the peaceably disposed inhabitants.

February 5.

The public were informed, in this paper, on Monday last, that the convention with France had been transmitted by the French Government to Guadaloupe, and had been proclaimed there. From the following circular letter (which we received yesterday by captain Wallace of the brig Nancy from St. Thomas) it appears that the agency are taking the necessary measures for carrying into effect those articles in which it was