

Capt. Young and Bailey, Officers in uniform committee of Arrangements, Marshal, (Col. James H. Langdon,) President and Suite, Marshal, (Col. Andrew Dewey,) Carriages, Citizens on Horseback.

A little before 11, a discharge of artillery announced the near approach of the Chief Magistrate of the nation. On entering the village, he alighted from his carriage and proceeded with the cavalcade, on horseback to the academy, thro' main street, ligned on each side by citizens, under direction of Joseph Howes, Esq. Returning to the head of State street, the President dismounted, was received by the first Light Company, commanded by lieut. E. P. Walton, and conducted to the state house, under a national salute from the Washington artillery.

In front of the state house, between 3 and 400 masters and misses, students of the academy and members of schools in the village, dressed in uniform, each tastefully decorated with garlands, from the fields of nature were arranged in two lines, facing each other, in perfect order. Previous to the arrival of the escort, the two companies of cavalry, with an expedition and regularity which did them honor, had placed themselves at a proper and convenient distance on the left of the juvenile procession.

The President walked through this assemblage of youth, uncovering his head, and bowing as he passed, entered the state house, under a fanciful arch of evergreens, emblematic, we trust of the duration of our liberties; on one side of which were these words, 'July 4, 1776,' on the other, 'Trenton Dec. 26, 1776.' When in front of the house, in the portico of the second story, the honorable James Fisk, chairman of the committee of arrangements, in presence of the military and a great concourse of assembled citizens, delivered the following address:

TO THE PRESIDENT OF THE U. STATES.

SIR—The citizens of Montpelier and its vicinity, have directed their committee to present you their respectful salutations, and bid you a cordial welcome.

The infancy of our settlements places our progress in the arts and sciences, something behind most of our sister states, but we shall not be denied some claim to a share of that ardent love of liberty and the rights of man, that attachment to the honor and interests of our country, which now so distinguish the American character; while the fields of Hubbardston, the heights of Wallonsack, and the plains of Plattsburg, are admitted to witness in our favor.

Many of those we now represent, ventured their lives in the last revolutionary contest; and permit us, sir, to say, the value of this opportunity is greatly enhanced by the consideration, that we now tender our respects to one who shared in all the hardships and dangers of that eventful period, which gave liberty and independence to our country; nor are we unmindful that from that period until now every public act of your life evinces an unalterable attachment to the principles for which you then contended.

With such pledges, we feel an unlimited confidence that should your measures fulfil your intentions, your administration, under the guidance of divine providence, will be as prosperous and happy as its commencement is tranquil and promising; that the honor, the rights and interests of the nation will pass from your hands unimpaired.

JAMES FISK,
for the Committee.

To this address the President made an affectionate and appropriate reply which was received with three times three animated cheers by the citizens.

The President then with his suite committee, marshals and clergy, visited the schools in the Representatives' room which was adorned with maps and globes, drawn by the scholars—while in front of the gallery and chandelier displayed a beautiful variety of vines and ornaments.—The scholars received him by rising, and Mr. Hill preceptor of the academy,

by saying, "I present to your Excellency the finest blossoms and fairest flowers that our climate produces." He replied, "They are the finest nature can produce." After inspecting the maps and globes, with approbation he retired—was received at the door by the Washington Artillery commanded by Capt. Timothy Hubbard, and escorted through a line of citizens extending from the state house to the dwelling of Willis I. Caldwell, where he partook of a cold collation, served up with admirable taste and elegance.

The schools then formed procession, preceded by the first light company, with instrumental music, and moved to the academy. In passing the President's quarters, they saluted him, the masters by uncovering their heads, the misses by lowering their parasols.

The President having signified his pleasure to dispense with the escort of cavalry, after taking an affectionate leave of the committee of arrangements, ascended his carriage and resumed his journey to Burlington.

The President shortly after his arrival at Burlington, embarked on Lake Champlain, in one of the Steam boats, and proceeded up Great Otter River to Vergennes, where he examined the extensive furnaces, forges and mills of rolling sheet iron, belonging to the great iron works at that place. He had here the opportunity of viewing this position, so important during the war, where the whole fleet under Com. M'Donough was built and equipped.

The President left Vergennes on Friday afternoon, in the steam boat, and proceeded down the Lake, probably to the lines; after which he was to land at Plattsburg, and continue his tour to Sackett's Harbor.

CHIEF JUSTICE TAYLOR'S CHARGE.

In delineating the crimes which are cognizable by a Grand Jury, the Chief Justice thus speaks of PERJURY.

"Perjury, is where a lawful oath is administered in some judicial proceeding to a person who swears wilfully, absolutely, and falsely, in a matter material to the point in question. The law takes notice of such oaths only, as are taken in some judicial proceedings, and these it requires to be taken, with some degree of deliberation; for if the falsehood be owing to inadvertence, surprise, or a mistake of the true state of the question, it is not considered voluntary and corrupt. It must be in some point circumstantially material to the question in contest; though it is not material whether the fact sworn to, be in itself true or false: for although it be true, yet if it were not known to be so by him who swears to it, his offence is as great as if it were false.

"When we reflect on the turpitude of this offence and the various mischiefs it produces in society, we shall be struck with the necessity of employing every means both of religious and moral instruction, and the due examples of punishment, to prevent its future growth. In whatever light it is considered, it is one of the greatest crimes which human nature in its highest state of depravation, is capable of committing; and marks at once, the absence of all fear and reverence for the Deity, and all benevolence for his creatures. It assumes many shapes, in all of which it violates the divine commands, without coming, as to some, within the reach of human penalties; though in no form can it be committed without producing some injury to the public and individuals. The nature of the crime cannot be too deeply imprinted on the minds of all men, and the sanctions under which it is forbidden, kept in too lively a remembrance. It cannot therefore be unreasonable on the present occasion, when so many people have assembled together to participate in, or to be affected by the administration of the law, to examine particularly the nature of an oath.

"A person who takes an oath imprecates the vengeance of the Almighty, if what he says be false and kisses the Gospels to mark

his reverence for their contents, and his belief in their promises. He may be supposed to address his Maker thus: "I believe in thy existence, O God! that my soul is immortal! and that I must hereafter appear before thee to be judged for the deeds done in the flesh! I deliberately consent that thou mayest then adjudge me to eternal misery, if I do not now tell the truth!"

"The book, in the authenticity of which he thus solemnly declares his belief, contains certain precepts on the subject, some of which were delivered under such circumstances as compel us to expect that exact obedience to them will be required. "Thou shalt not take the name of the Lord thy God in vain; for the Lord will not hold him guiltless that taketh his name in vain." "Thou shalt not bear false witness against thy neighbor." "A false witness shall not be unpunished, and he that speaketh lies shall not escape."

"Ye shall not swear by my name falsely, neither shalt thou profane the name of thy God." It is not merely by speaking a thing upon oath, contrary to our knowledge or belief, that these precepts are violated; but also, whenever a man speaks beyond his knowledge; asserts with certainty where he only believes; or pretends to believe with perfect assurance, when he has, in reality, only ground for conjecture. As a witness is sworn to tell the whole truth, he violates his oath if he conceal, with design, any thing which he thinks may be of importance; for withholding a truth, may as frequently lead to injustice as advancing the greatest falsehood. It must result from the nature of the thing, that many of these violations of an oath cannot be reached by any human laws against perjury; but on that very account it becomes more necessary that men should be put on their guard, and distinctly understand the responsibility they incur. I consider it very clear that the great laws I have cited may be violated by any artifice which a witness employs to colour or disguise the real state of a case.

"When we consider too the fallibility of human nature, and how frequently men are influenced by improper motives, sometimes without perceiving it themselves, how often, esteem for one man and dislike of another, party zeal, resentment, or compassion, will pervert the judgment, a cautious witness will deliberate before he testifies, and take care that nothing lurks in his heart that may corrupt his integrity.—Cases sometimes occur which present strong temptations, & therefore more particularly require self examination. A man may be called to testify in a cause which he thinks may be his own, or bear some resemblance to one which he expects hereafter, and though he forms no design to misrepresent, yet the bias of partiality colours every circumstance he narrates, and, almost without knowing it himself, he makes a false impression on the minds of his hearers. Sometimes a motive which has the appearance of generosity, may prompt him to the illusion, that it is a merit to transgress for the sake of serving a friend in a hard case, or for promoting a good cause; not recollecting that truth is the best of causes, and undue favour shown to one side, cannot fail to produce injustice to the other.

"Perjury was anciently punished with death by the common law and in like manner by the ancient laws of Rome. Perjury committed in capital cases, is still punished with death in France. The law of Moses prescribes the punishment of retaliation; an eye for an eye, a tooth for a tooth; and at one period of the Roman government, a similar punishment was established. Were we to confine our view to the crime and its consequences, we should pronounce the severest judgment to be the most just one; but when we consider the design and policy of punishment there may be reason to fear that honest witnesses might be deterred from giving evidence against men in capital cases, if thereby they might be prosecuted capitally themselves.

"Murder committed by means of perjury, has a character of deeper atrocity, than when done by open violence; because it superadds to the destruction of life, ignominy and dishonor.

"Perjury always involves the violation of truth, and every sort of injustice is aggravated where it is the offspring of falsehood. Oppress a man may sometimes repel by his personal strength, or the preventive aid of the law. Neither one nor the other can guard him from the attacks of a false witness.

"This crime tends to destroy all confidence amongst men and to undermine the foundations of society; for this cannot subsist without the administration of public justice. Courts and juries can only execute the laws by giving faith to witnesses; and whenever false testimony prevails, the law becomes an instrument of injustice and oppression. Were it universally prevalent, there must be an end of civil government.

"It cannot be extenuated, as some other offences are, by passion; but must always be deliberate and malicious. Nothing can so strongly bespeak a heart steeled against every virtuous impulse; and in our estimate of the character of a false witness, we scarcely know which feeling preponderates terror or contempt.

"Against a crime so detestable and destructive, every precaution ought to be used,—by the legislature, in enacting the most effectual laws,—by magistrates, in carrying them into vigorous execution,—and by every member of the community, in expressing the utmost abhorrence of the offence, and striving to make the very imagination of it alarming to the mind.—One method would be, to administer oaths with greater solemnity than is now used. Indeed the hasty and irreverent manner in which they are commonly administered, is, in itself, calculated to lessen our respect for them. Another useful regulation would be, to appoint as few oaths as possible; and never to require them but upon important occasions; for where they are taken frequently, they will be taken irreverently. They should never be required by law where interest is constantly tempting men to use them falsely. The design of them will then be frustrated, and they will operate to the benefit of bad men, who are disposed to gain by perjury, & to the injury of good ones who will not incur the guilt.

"Our law punishes this crime with a fine not exceeding \$500, with standing in the prison for one hour, the loss of both ears, and a disqualification to give testimony thereafter."

FROM THE COLUMBIAN.

LAW INTELLIGENCE.

N. York Mayor's Court.

Sally Esdall vs. Thomas Devine and Margaret his wife.

SLANDER.—Charging the plaintiff with "Prostitution," tried before his honor the Recorder, at the present term. The trial occupied three days, and excited more than ordinary attention. The parties resides at Newton, in Queen's county.

ROBT. BOGARDUS counsel for plaintiff. WM. M. PRICE and J. HERRICKS, for defendants.

The trial of this cause, which lasted for three days, unfolded a disgusting scene of iniquity; A young lady accused of prostitution with her uncle—and that by her half-sister and her husband, persons of infamous character (as it appeared) brought forward as witnesses; "some were proven to have been actually bribed, and it was also proven that Devine had in two instances attempted to bribe, and proposed as high a sum as \$200 for a witness that would swear against Miss Esdall and to another \$30; and that his wife had made an attempt to bribe a lad in the defendants employ when he declined serving them by swearing for money, they discharged him."

Upwards of forty witnesses were examined. Mr Price addressed the Jury about two hours, and made a handsome appeal to them on the part of the husband, who was bound by law to answer for the misconduct of his wife. Mr. Bogardus commenced at seven, and concluded summing up about half past nine.

The Jury retired, and on Saturday morning returned a sealed verdict in the words following:

In consideration of the situation of Thomas Devine, who has been brought into this difficulty by the extremely shameful and scandalous conduct of Margaret his wife, the Jurors are induced to mitigate the amount of damages and accordingly find a Verdict for the Plaintiff of eight hundred dollars and costs.

NEW-YORK MAYOR'S COURT.

Sally Esdall, vs. Thomas Devine and Margaret his wife.

We the Jurors who tried this cause do, in addition to the verdict of \$800, certify and declare, that the words spoken and published by the wife of Thomas Devine, were false and malicious; & that the attempt to injure Miss Esdall's reputation, was a base attempt to destroy the character of a worthy, deserving and innocent female, & do deem it a duty as far as lays in our power, to restore her and her family to the respect and attention of their neighbors and friends. July 26, 1816.

John Good, David Rogers, Wm. Bogardus, Benj. S. Knapp, Stephen Dando, John Stephens, Jr. Stephen Seguire, Wm. W. Tomkins, Wm. W. Russel, John Connor.

Newtown, (L. I.) July 20 1817.

Gentlemen—The patience you discovered in the tedious examination of the witnesses, the ardent desire you manifested to extract the truth, and the result as expressed by the verdict of all were to have been expected from the imposing obligation which you and your fellows, as Jurors, were under; but when I received from you by the hands of a friend, the voluntary certificate which you have been pleased to transmit to me, retributive justice compels me to say, to the character of the Juror you have added that of the father and the gentleman; and believe me, when I assure you, that I prize that certificate a 1000 times more than the sum mentioned in the verdict.

S. ESDALL.

To the above named Jurors.

Latest from England.

The paper from which we have made the foregoing abstract, contains London dates to the 19th of June. They afford nothing of material importance. The appearance of the harvest in Europe had improved very considerably—in consequence, the prices of bread stuffs had not improved.—Notwithstanding this circumstance a new order had been issued by the British government for the admission of bread stuffs into the ports of that kingdom, from all parts of the world, Disturbances continued in England, France and Ireland. The habeas corpus suspension act, had gone through "his majesty's faithful commons," and had been read twice in the house of peers.—Watson and his fellow prisoners had been acquitted after a trial of seven days continuance.—(Will Cobbett go back after he finds the danger disappearing;)—When Watson's acquittal was announced the court and the avenues leading to it, resounded with the tumultuous acclamations of the populace. He was conducted in triumph through many of the streets, greeted and applauded by the people wherever he passed.

ABSTRACT.—The American contained many other articles which we wished to copy, but it was impossible, owing to the circumstance already explained.—We have, however, given below the heads of the most important advices contained in the paper, not already noticed.

Accounts from South America state, that Bolivar had again deserted the independent Standard, and had repaired to St. Thomas's. His army had joined gen. Piar, who had succeeded in capturing Augustine by absolute starvation. The royalists it is said, had taken the Island of Margarita; adm. Biron having previously left that place, with 22 armed vessels.

Mr. J. Q. Adams arrived at N. Y. on the 7th inst.

The British frigate Inconstant, sir. J. D. Yeo, has arrived at New York, with \$ 2,255,000; \$405,000 of which are for the United States, and \$50,000 for indi-