lution was brought forward, and was, owing to a pressure of business, again postponed. Mr. Southard said there was no doubt if the resolution had been acted upon two years ago, and Congress had exercised their constitutional power, it would have prevented a vast number of slaves from being imported. It is said, however, that this resolution will operate partially on S. C. but it has not S. C. particularly in view, but principle; and if that principle be correct, let it operate where it may, let the people of S. C. feel the weight of it; it is right they should. As the proposed tax may prevent a few, perhaps a single one of these miserable creatures from being torn from the bosom of their family and country, in violation of the ties of nature and the principles of justice, the time of congress will be well taken up in imposing it, nor has any state a right to complain of such treatment; for, if the traffic is profitable they can well afford to pay for it. Mr. Southard, concluded by declaring that not revenue but an expression of the national sentiment was his principal object.

Mr. Dana said that black men were not the only men imported into the U. S. If the object of this tax was only to obtain revenue, (and it really appeared to him that we wanted all the revenue we could get) it might, perhaps, be right to get as much revenue as possible from the importation of men. To have this point elucidated, and to learn the precise grounds of the mover in offering this resolution, he moved to substitute the word *persons* in lieu of the word *slaves*.

Mr. Alston said, in seconding this amendment, his object was to preserve the words of the constitution, instead of deviating from them into the language of the resolution. He defied gentlemen to shew him the word slave in the constitution; no such word was found in the constitution. Here Mr. Alston read that part of the constitution already recited, and then proceeded—The word here used is *person* not *slave*. Where the gentleman found the latter word, I am altogether at a loss to know. In laying this tax on slaves, we shall defeat a very important part of the constitution, which says all taxes and duties shall be uniform. From the constitutions of the southern states, it is impossible for this tax to apply to them, and in many of the other states there is, I believe, a similar provision prohibiting the admission of slaves. Under the constitution of Connecticut, every man is free, the moment he puts his foot on their ground. This tax, therefore, cannot apply to that state, unless they alter their consitution, or their steady habits, which ever gentlemen may call them. In Ohio there is a like prohibition. How then are gentlemen attempting to legislate on the subject? If the object of the resolution were to prohibit the importation of slaves I believe I should join them in supporting it. I am willing that no more of that description of people should set foot on our shores; but this will not be its effect. On the contrary it will be partial in its operation, and fall exclusively on South Carolina, and a few of the other states whose constitutions permit the importion of slaves. With these constitutions congress are presumed to be, and are acquainted—their acts ought to harmonise with them, and they ought not to pass a law which does not operate equally on all the states. In the present instance we see South Carolina nearly equally divided in opinion. Is it proper in congress, under these circumstances, to pass an act of censure on them? Can we prohibit the importation? No. We are merely then sanctioning the commerce, and imposing a tax that amounts to nothing. What good reason is there for bringing forward this subject at this time? In two years we shall have the power to prohibit the trade altogether. Then this House will be unanimous—no one will object to exercising our full constitutional powers. But to bring the subject forward in its present shape can only tend to divide us, without doing the least benefit. I hope the motion of the gentleman from Connecticut will prevail and that we shall adhere to the language of the constitution.

Mr. Smilie. There is no doubt but by the constitution we have a right to prohibit, so far as the imposition of a tax of ten dollars can have the effect, the importation of slaves or freemen, provided we think good policy and humanity justify the measure. And if the House do entertain the opinion that the policy of the U. S. requires a prohibition of the emigration of all such persons, they will agree to the amendment; they have a right to do it. But I do not believe this is the disposition of the present House, or of any that has set under the constitution. The gentleman rests his amendment on the word *person*, and concludes it to be necessary, because the word slave is not to be found in the constitution. I rejoice that that word is not in the constitution, its not being there does honor to the worthies who would not suffer it to become a part of it. What are the facts connected with this business? They are these: When congress were sitting and legislating for a free people, they determined not to stain the constitution with that word. The thing was perfectly understood in the convention. The power as it stands modified, was the result of that spirit of concession and compromise which in this, as in many other instances, characterise the constitution. With regard to the allegation that this tax would operate partially and severely, I see on reflection, nothing in it. The right to impose duties on all other articles except this is unlimited, and the state of South Carolina, in this instance, has the power completely to get rid of this tax. She has only to repeal her law, and she will have no tax to pay. But if that, or any other state, pursue a trade which justice or good policy forbid, they must submit to the constitutional powers of congress. We are placed now in a delicate and trying situation; the resolution is actually before us; & the only question is whether we will or will not declare our approbation of this iniquitous traffic. As to revenue, it is no object to me. Revenue, no doubt, will grow out of the measure, but that alone would not induce me to patronise it. I have another and higher object—to express our disapprobation of this traffic; to manifest to the world that as the representatives of a free people, we will as far as we can, express our opinion of it.

The Chairman here interrupted Mr. Smilie, by stating, that the question was on the amendment, to which the remarks of gentlemen must be confined.

Mr. Fisk hoped that the amendment would not prevail. Gentlemen tell us the resolution must be in the words of the constitution, and that it is partial. He would consider how far this argument would carry them. It is observed that it is improper to call in question the rights of the states; but according to the argument of the gentleman from North-Carolina, if the state of Massachusetts should prohibit her citizens from consuming tea or coffee, Congress would be under the necessity of repealing the duties on those articles, and in this way many other acts of the states would prevent Congress from exercising their constitutional powers. These things are in the power of the states—they are free to exercise them or not to exercise them. When they conduce to their benefit, they will exercise them, and when they cease to be beneficial they will abandon them. Congress have the same right to lay a tax in one case as in the other, according as the public good will be advanced by the imposition, as well of the limited tax on slaves, as of the unlimited tax on other objects. In this resolution there is no partiality. It applies to all the states, as well those who have prohibitory laws or constitutions as those who have not. For it is incorrect to say, because some states have constitutional provisions on the subject, the tax is therefore inapplicable to them, because they have the power of altering their constitutions, and what is in force to day may be abandoned to morrow. To agree to the amendment would be to hold out the idea to foreigners, about to escape from the tyranny and injustice of Europe, that we meant to refuse them an asylum in our country. It is indeed to be presumed that the mover of the amendment is against the whole resolution, and brought forward the one to defeat the other.

Mr. Bedinger moved that the committee should rise. He said the subject was important; it was late in the day, and he thought they ought to take more time to reflect on it before they came to a decision.

This motion having been agreed to—Ayes 64—the committee rose, reported progress, and asked leave to sit agin.

Mr. Dawson hoped that they would not have leave, but that the resolution would be postponed till some time in May.

Mr. Nicholson said he hoped the committee would have leave to sit again, and called for the Yeas and Nays on the question, which being taken, were Yeas 98—Nays 15.

In Senate of the United States.

January 20, 1806.

Agreeably to notice given on the 16th inst. Mr. Wright asked and obtained leave to bring in the following bill, which was read and passed to a second reading.

A BILL for the protection and indemnification of American seamen.

Whereas, by the treaty of amity, commerce and navigation, made between his Britannic majesty and the United States at London, on the nineteenth day of November, 1794, by the first article of said treaty, it is agreed, "That there shall be a firm, inviolable and universal peace, and a true and sincere friendship between his Britannic majesty, his heirs and successors, and the United States of America; and between their respective countries, territories, cities, towns, and people of every degree, without exception of persons or places. And whereas, in direct violation of said treaty, his Britannic majesty has caused to be impressed out of the ships of the United States, sailing on the high seas, divers citizens of said United States; and has compelled them to serve on board the ships of war of his said Britannic majesty, in violation of their liberty, and at the hazard of their lives; and in despite of the remonstrances of the government of said U. States, continues said unjust practice; and the seamen of the U. States so impressed, by force, retains in his service. And whereas, the U. States are solemnly bound to protect all those who are bound in allegiance to said United States. Therefore,

Be it enacted, by the Senate and House of Representatives of the United States of America, in Congress Assembled, That from and after the day of next, any person or persons, who shall impress any seamen on board any vessel bearing the flag of the United States, upon the high seas, or in any river, haven, bason or bay, under pretext or color of a commission from any foreign power, shall for every such offence be adjudged a pirate and felon; and on conviction shall suffer death. And the trial in any such case may be had where the offender is apprehended or may be first brought.

Sec. 2. *And be it further enacted*, That it shall be lawful for any American seamen, sailing under the flag of the United States, on any person or persons attempting to impress him by force, from on board any vessel of the United States, upon the high seas, or in any river, haven, bason, or bay, to repel such force by shooting, or otherwise killing and destroying the person or persons so attempting to impress him, and shall, as an encouragement to resist, be entitled to a bounty of two hundred dollars, to be paid to him or his order, or legal representatives, out of any money in the treasury, not otherwise appropriated.

Sec. 3. *And be it further enacted*, That on information being given to the President of the United States, proving satisfactorily to him, that any citizen of the United States, who shall have been impressed or forced by violence or threats, to enter on board any foreign vessel, shall suffer death, or any other corporal punishment by the authority of such foreign power; it shall be lawful for the President of the United States, to cause the most rigorous and exact retaliation on any subjects of that government, whom he is hereby authorised to seize and take for that purpose.

Sec. 4. *And be it further enacted*, That every American seamen, heretofore or hereafter impressed and compelled to serve on board any foreign ship or vessel, shall be entitled to receive as an indemnification for his slavery and hardships on board the ship in which he has been, or shall be compelled to serve, from the day of his impressment, the sum of sixty dollars per month, for every month he has, or shall serve, on board said ship or ships; and that the said seaman, his heirs, executors, administrators, or assigns, shall be entitled to recover the same in the district court of the state in which the port lies, from which the vessel cleared, for the voyage in which he was taken, by attachment of any private debt, due from any citizen of the United States, to any subject of that government, by whose subjects he had been impressed; and that any sums of money so attached out of the hands of any debtor, shall be a payment of so much of said debt, and may be pleaded in payment or discount to the amount of the said sum so attached, and all the costs of said attachment, which shall be allowed as a payment of that amount in any suit for said debt. And that so much of the treaty of London, of 19th November, 1794, as secures the inviolability of such debts, as will be infringed by the attachments or recoveries, hereby authorised, shall not (so far as is necessary in the execution of this act only) be regarded as legally obligatory on the government or citizens of the United States.

FROM THE BOSTON CHRONICLE.

NEUTRAL RIGHTS.

Extract of a letter from an American gentleman in London to his correspondent in this town, dated Sept. 29, 1805.

"This country is depredating upon our commerce to an unexampled length, & to suppose that any man will find favor in the courts of vice admiralty, or with the greedy plunderers of our commerce, is absurd. To destroy our commerce with a view to give opening for the employment of their own vessels at the close of the war, is one object; and another is, to give encouragement to the navy, particularly to the higher officers of it, whose small pay without booty, will not afford them an adequate support, there having been no alteration in it for upwards of an hundred years. These considerations have a great influence in inducing the conduct; which is pursued towards our vessels; especially as the commerce of France, Spain and Holland affords no booty, and except that carried on by neutrals, is in a manner destroyed. It is a curious fact which ought to be known in the U. S. that sir Wm. Scott, who is the judge of vice admiralty, and determines the law of nations respecting neutrals, as set up by this nation, is a member of the privy council, and from time to time receives directions from the board to modify his decisions according to circumstances; whereby the law, which ought to be fixed and settled upon just principles, is perpetually varying, and is wavering and unsettled; and it is also to be observed, that the decisions of the judge produce all the effect of new orders to the ships of war and privateers, by their agents giving notice of every new principle or change adopted by the judge. It is by this management that our vessels have been lately brought in and condemned, whilst it has been openly declared that no new orders have been issued. Nothing can exceed the management with which this government proceeds towards our vessels and commerce.

It is high time that we had a national character, and that we felt for the national interest, that when either were attacked we should be ready to avenge the injury, let it come from what quarter it might. Without this, it is vain to hope for the security of our commerce, or the adoption of proper measures for that purpose.

Mr. Monroe has presented a long note to Lord Mulgrave, upon the subject of the late captures. It is well written, argumentative and spirited, although tempered with moderation and respect to this government.

The principle of free ships making free goods, is considered here to be abandoned by the United States, and there is no doubt but that our concession of it to this government produced an important influence inducing the modification or rather abandonment of the principle, by Russia, and the other northern powers in June, 1801. In the October following four months after the treaty between Russia and Great Britain had been signed, the parties made a declaration explanatory of the second section of the 3d article, by which they declare (in a case however in which Russia had no interest) "that the freedom of navigation and commerce, granted by the said article to the subjects of a neutral power, does not authorise them to carry in time of war, the produce or merchandise of the colonies of the belligerent power direct to the continental possessions, nor *vice versa* from the mother country to the enemy's colonies; but that the said subjects are, however, to enjoy the same advantages and facilities in this commerce as are enjoyed by the most favored nations, and especially by the United States of America."

It is in this way that the interests of neutral nations have been played off against each other to the advantage of this nation; and the United States are now left alone to contest their own rights and interests as neutrals.

In the present conjuncture of affairs, it appears to me adviseable, that our merchants should meet and discuss the subject of neutral rights, and taking the Russian treaty with Great Britain for their guide as it stood unexplained in June, 1801, when it was made, should pass resolutions consonant thereto, and enforce them with a petition to the government of the United States, to adopt the most ready means to carry into execution such measures as it might deem necessary to give the most effectual protection to our navigation and commerce. A measure of this kind, I have no doubt, would be attended with the happiest effects. It would shew that the merchants were united among themselves, and were disposed to place their neutral rights upon an equitable ground, whilst their claims would be moderate, and grounded upon the old law of nations, as laid down by the best writers. No party views or dissentions ought to enter into this measure: all should join and make a common cause in it: and in this case, such weight would be given to the representations of our ministers in Europe, that I have no doubt, that our neutral rights would be respected by this and other belligerent nations. I have had no motive in suggesting the foregoing advice, but for the better protection of our navigation and commerce. It arose out of the unjust condemnation of Mr. S's property, connected with such facts, and the best view of things, which my present situation has enabled me to obtain.

Before I conclude I ought to mention to you a new case which has occurred, and which I heard of since writing the foregoing. It shews to what length this government means to carry its restrictions upon our commerce, whilst it equally points out the necessity for decisive measures from our government. The case to which I allude refers to an American vessel, bound from China to Amsterdam, which was condemned a few days since by Sir William Scott, but was restored to the owner a day or two afterwards by the agent of the privateer, at the instance of Sir John Nicholls, the advocate general, who, it is said, observed to the agent, that it was an unfavorable time to enforce the principle.

From the Aurora of January 24.

FIRST LIGHT INFANTRY.

Special meeting—*Dec. 23d*, 1805.

Whereas by a recent communication made by the President of the United States to Congress, it has been officially stated, that our territory has been violated, and that some of our fellow citizens have been seized and taken by an armed force acting under the authority of the Spanish government, and it further appears by said communication, that persons acting under the same authority have purchased military stores and provisions, and that even his officers, both civil and military, have publicly declared that the negociations at Madrid had failed to effect the peaceable adjustment of our differences, and that war, with all its train of concomitant evils, must be the inevitable consequences; and that the said preparations were intended to facilitate an unjust attack upon a portion of our territory to the destruction of our peaceable citizens and their property, the prostration of our rights, as well as to the entire degradation of our honor and dignity as a free and an independent nation.

And, whereas, it is the duty at all times (but more particularly in the hour of danger) of the good citizens of these states, of whatever party, to support to the utmost of their power, the honor and independence of their country; but more especially is it the duty of those citizens who, as volunteers, having accustomed themselves to the use of arms, & thereby virtually pledged themselves as far as in them lies, to repel the wanton aggressions of a hostile foe at the point of the bayonet. And, it further appears highly probable that the services of the volunteer corps of the United States may be required before sufficient number of regular troops can be raised and brought into operation; it, therefore, becomes their solemn duty to be prepared against any sudden emergency that may arise, and resolutely determine to meet the foe and remain free or die:—therefore,

Resolved unanimously, That the officers of this corps, respectfully represent to the President of the United States, that it is the wish of this corps that the same may have the distinguished honor of being first called into the defence of their country's cause, and that in such an event, they be placed upon the same footing with the regular troops of the U. S.

Philadelphia, Dec. 21, 1805.

Sir,

We have the honor to inclose a copy of a resolution of the company under our command, with a respecful request that you will be pleased to lay the same before the President of the U. S. and in case there should exist any necessity for calling out the volunteer companies, of which, in our opinion, their exists a great probability; although for want of correct information we are sensible we cannot at present be competent judges, yet we deem it our duty most earnestly to request that in such an event, the First Light Infantry may have the honor of being one of the first that may be called into actual service, upon condition of being placed upon the same footing with the regularly enlisted troops of the U. S. and we hold ourselves pledged to be in perfect readiness to march at an hour's notice to any part of the continent where our services can be most usefully employed.

We have the honor to be, with sentiments of the highest respect, your obedient servants,

FRANCIS SHALLUS, *Captain.*
JOHN STRATTEN, *Lieutenant.*
JOHN HUFTY, *Ensign.*

The hon. Henry Dearborn, Esq. secretary at war, Washington.

From the New-York Evening Post.

Interesting extract of a letter from London, dated 21st November, 1805.

"This government has granted licences to neutral vessels who take in a proportion of their cargoes in great Britain to proceed to the Spanish colonies to the south of the line, provided the return cargoes are engaged to be brought to this country; and I have now several expeditions of this nature under my directions for the account of houses on the continent, who prefer subjecting themselves to the conditions, ministers have imposed for the toleration of that trade, to the risk of detention and its consequences, even in the event of restitution."

Jamaica ss.

By his honor George Nugent, Esquire, Lieutenant Governor and Commander in chief in and over this His Majesty's island of Jamaica, and the other territories thereon depending in America, Chancellor and Vice Admiral of the same.

A PROCLAMATION.

Whereas I have thought fit by my proclamation, bearing date the twenty third day of July last, to permit until the thirty-first day of December next, the free importation of sheep, hogs, poultry, small live stock of all kinds, fruit & all sorts of fish, flour, corn, corn meal, bread, rice, pease, beans, and lumber of every description, in vessels belonging to neutral and other states in amity with Great Britain, upon the like terms, charges and conditions, and subject to the same rules, regulations, visitations and searches, as are observed with respect to British vessels in the like cases: And whereas the general scarcity of provisions not the produce of this island, and lumber, still continues to prevail, and the exigency of the case appears to require that the period limited for such importation should be further extended until the thirtieth day of June next; I now therefore do issue this my proclamation permitting, until the thirtieth day of June next, the free importation of sheep, hogs, poultry, live stock of all kinds, fruit, and all sorts of fish, flour, corn, corn meal, bread, peas, beans, and lumber of every description, in vessels belonging to neutral and other states in amity with Great Britain, upon the like terms, charges, and conditions, and subject to the same rules, regulations, visitations and searches, as are observed with respect to British vessels in the like cases: And I do hereby also permit all vessels importing the foregoing articles, under the authority of this proclamation, to export from hence rum and molasses, from any port or ports, place or places, of this island, upon the like terms, stipulations, charges and conditions, as are observed with respect to British vessels in like cases; and in case any person or persons importing provisions or lumber to this island under the authority of this proclamation, shall attempt to introduce any other articles than are herein particularly enumerated, measures will be immediately adopted for the forfeiture of the ship or vessel and cargo, so contravening the laws of navigation.

Given under my hand and seal at arms, at St. Jago de la Vega, this seventh day of October, in the year of our Lord one thousand eight hundred and five, and of His Majesty's reign the 45th year.

G. NUGENT.

By his honor's command,
H. Cathcart, Sec'y.

In addition to the preceding proclamation, His Majesty's Consul General for the Eastern states of America, informs the merchants trading to the Bay of Honduras, that the port of Belize is open to the intercourse with the United States of America, on the same terms as with the island of Jamaica, and that permission has been granted for the exportation in return of Mahogany, not exceeding twenty inches in diameter.

COMMERCIAL.

Jamaica, Nov. 23.

The following are copies of letters from Edmund Pursey Lyon, Esq. agent