NATIONAL INTELLIGENCER,

AND

WASHINGTON ADVERTISER.

VOL. VI. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. No. DCCCLV.

FIVE DOLLARS PER ANNUM. WEDNESDAY, APRIL 2, 1806. *PAID IN ADVANCE.*

CONGRESS.

HOUSE OF REPRESENTATIVES.

FRIDAY, MARCH 7.

DEBATE

On Mr. GREGG's Resolution.

[*Mr. Findley's speech concluded.*]

When or by whom was ever non-importation deemed a war measure? not at any time we know of by Britain, the U. S. or probably any other nation. The British treaty recognises it as a measure of peace. While we were yet colonies we had recourse to non-importation by voluntary agreement, in order to induce Britain to repeal the stamp act after other methods had been exhausted. It was not considered or treated as a war measure by either party, but by affecting the manufacturing interest &c. in Britain it procured the repeal of the stamp act. The same measure procured the repeal in part of the revenue acts, what of them remained unrepealed as a pledge of the sovereign right of the British parliament to legislate for the colonies, produced the war which established our independence.

During the first session of the third Congress, information of the British orders of the 8th of June 1793, and the aggressions in pursuance of these orders committed on our commerce, were officially communicated to Congress by the President. In consequence of which, Mr. Madison submitted certain resolutions that are now in the hands of the members, but before any final decision on them had taken place, information was received of the orders of the 6th of Nov. 1793 which authorised a higher degree of aggression than had been heretofore committed. Neither the orders of June or November were otherwise known but by their execution, until after great damage had been sustained. In consequence of information of these ruinous depredations an embargo for 30 days was laid after two days consultation with an interval between, with shut doors. The embargo was soon after extended for 30 days longer.

The embargo however was not intended as a permanent measure, nor expected to have any permanent effect, it could not have a great effect except on the British West Indies which depended on us for their necessary supplies The embargo however secured what was yet in our harbors until Congress might have time to deliberate, and Britain did not treat it as a war measure.

The first result of that deliberation was a resolution for sequestrating the debts due to British subjects by citizens of this country, which was at this time a large amount. After this had been considerd for a considerable time and afterwards discussed, it was dropped, and a resolution for a non-intercourse with the British dominions submitted to the House. This resolution was with frequent intervals a subject of deliberation for some weeks before the House of Representatives, and in all its stages was supported by a majority. While this subject was before the House and before a bill was ordered to be reported, information was received that Britain on the 8th of January, had favorably revised the orders of the 6th of Nov. preceding, and that our commerce was again admitted to be conducted on such a footing as we have since acquiesced in with little complaint. But the progress of the non-intercourse bill was not therefore stopped; the British court had issued orders on one principle in June, and upon another principle in November, and a third principle in March. Three orders essentially different from each other in seven months and might probably have made another change before this information arrived, the bill therefore passed the House by a greater majority than it is believed any other commercial measure during that session. It passed also in the Senate by a respectable majority till the order for the last reading, when the votes being equal the bill was refused the last reading by the vice-president's vote. The president had recently nominated Mr. Jay envoy extraordinary to the court of London, this induced a number of the members of the Senate to believe that it was not necessary to pass the non-intercourse bill into a law.

Mr. F. said, he had sufficient ground to believe that the President delayed the nomination of an envoy for a considerable time, waiting for the progress of the bill and that he did not nominate the envoy with an intention to defeat the last vote on the bill, but rather to correspond with it. Thus far he well recollected that on the day that the non intercourse resolution was submitted to the House, in conversation with one of the heads of departments on the subject of the President sending an envoy which was then much talked of, the gentleman said that the President would send an envoy as soon as Congress had strengthened his hands with any sufficient expression of the public will, that Madison's resolutions appeared suitable early in the session was generally admitted, but they were dropped perhaps as not corresponding to the encreased aggressions since Nov. The resolution for sequestration, he said, he did not approve, but the resolution for non-intercourse then submitted to the House by Mr. Clark of New-Jersey, he tho't would answer the purpose, and that if it passed Congress, the President would send an envoy. It did pass the House of Representatives by a large majority, and the second reading in the Senate before the envoy was nominated by the President. These circumstances are mentioned to demonstrate that at no period heretofore, either before or since the declaration of independence, was refusing to import or consume the produce or manufactures of any country deemed a war measure; it cannot be so unless some treaty is thereby broken. The British treaty secures this right to both parties.

Mr. F. said it was true that not only on the occasions abovementioned, but on the discussion of the resolution submitted by Mr. Madison, on the resolution for an embargo and the opposition to the British treaty being ratified, there were members and others who declared these measures would lead to war, &c. It was particularly so when the question of the embargo was first discussed. That the measure will lead to war is always the cant word of opposition, and is well caculated to alarm such of the citizens as are not well informed, but enacting such measures are agreeable to the treaty with Britain, and within the unquestionable rights of sovereignty, therefore cannot of themselves cause war. The resolution therefore is not objectionable on this ground, whatever it may be on the ground of expediency. But if the British government should, disregarding the principles of justice, embargo our ships in their harbors, capture them on the ocean, where we have a large amount of property afloat, and even if they should be mad enough to attack our ports and harbors with their fleet, if they should do all that has been suggested by the gentleman from Virginia, we have the power and means of making reprisals. Mr. F. said, that that gentleman had yesterday charged his colleague (Mr. Smilie) with inconsistency, he having formerly opposed a fleet and was now in favor of one, &c. but this was not the case, neither his colleague nor himself were in favor of a fleet, nor would ever vote for one to oppose or make reprisal on Britain, while less expensive and much more certain means of reprisal were in our power. The vast amount of stock that the British subjects owned in our funds and banks, and of debts due from our merchants to her merchants and manufacturers, and her territories of Nova Scotia and Canada in our neighborhood which, though of no great value to us are of incalculable value to her, are all in our power and are all lawful objects for reprisals which at least may be justified by excess of provocation. Even supposing Great Britain lost to all sense of justice and national honor, which he did not admit in its whole extent, yet we will all admit that she is sensible of and pursues her own interest, and that it is not her interest to go to extremities with us on the account of all she gains by the aggressions of which we complain: must be admitted by all competent judges.

The gentleman from Virginia has spoken of the character of those engaged in commerce in an unusual strain of acrimony; he has denounced commercial pursuits and denied protection to it beyond gun-shot from our shores, &c. It is true he yesterday refused protection only to what is usually though incorrectly called the carrying trade.— Formerly by the carrying trade was understood to be carrying the property of other nations on freight In this Holland who has little produce of her own to export was generally greatly engaged. Her merchants were formerly the carriers for all the maratime nations of Europe. Our own shipping merchants also were early engaged in this trade even before 1793, they contended for the right of doing so, but that is now given up, if any do now engage in it they neither claim nor receive protection from our government. The name of carrying trade is now applied to that commerce carried on by purchasing goods in one country, bringing them to our own country and if they are not in demand there reshipping them to a foreign market, &c. or disposing of them to those who do so.

Mr. F. said that he was astonished to hear this commerce stated as inimical to agriculture, as its rival, &c. Whatever may be said of the manufactures and commerce of Britain being rivals to the landed interest, it will not apply in this county. We have no established manufactures in the country, therefore our own manufactures are not the source of our commerce as they are in Britain. The produce of agriculture, viz: what can be spared from the farm, or what can be caught in the ocean by the industry of our own citizens, is the sole basis of our commerce and if agriculture fails, commerce fails with it. What is called with us the carrying trade and the direct trade cannot easily be separated; we take from Britain to the amount of near 12 million dollars more than she takes from us; how will we pay it? She does not take our flour, meat or fish, and but very little of any thing from the middle or eastern states. We sell our flour, meat, &c. chiefly in the French and Spanish W. Indies. and bring the returns in sugar, coffee, rum, &c. to our own ports, and what is not consumed in our own country is permitted to be shipped to the European ports, where they can find a market under a neutral character, and the proceeds are transmitted to Britain to pay the balance she has against us, or in part in such goods as can be got where the sales are made. A scarcity of bread sometimes induces Britain to open her ports to our grain and flour, but even then the cargo exported will come far short of paying for a return cargo of her finished manufactures, and it is the same with the bulky raw materials of the southern states, of which Britain takes a large proportion; the balance has to be paid in the circuitous manner mentioned above. Our provisions, &c. sold in the W. Indies will not purchase return cargoes of coffee, sugar rum, &c. and but little money can be got; the return cargoes therefore, if more than is necessary for home consumption, must be permitted to find a market in other countries, and for this permission a duty is paid. Thus what is called the carrying trade is so combined with the direct trade, that it cannot be separated without injury to the farmer as well as the merchant.

Perhaps to those who understand the subject the waggoners constantly employed in hauling merchandize from Philadelphia and Baltimore on the great western road to Pittsburg, may in some measure illustrate the carrying trade as connected with the exports of our produce to a foreign market. About 300 of five or six horse teams are constantly at all seasons employed in hauling goods from these two parts, besides many other teams occasionally, they pass through the dividing ground between the atlantic and western waters, as they would otherwise return empty like a ship in ballast, they take in flour on the way generally at half the price for carriage at which the flour will sell at the ports, but if they were not to be certain of back loading in returning, they would not take the gift of the flour on condition of hauling it: but if they were to haul no more goods than what the flour would purchase, or than what is consumed in the country, one barrel of 20 could not be hauled, the goods are taken to Pittsburg, Monongahela, Wheeling, &c. and boated to the western parts of Virginia, Kentucky, Ohio state, and even to Tennessee. If the carrying trade from the goods bro't in the waggons was not permitted, the produce would not find a market and the imported goods would come much dearer to the consumer. Probably Pennsylvania in which there are a greater proportion of citizens who reside at a distance from a seaport than in any other state have felt earlier and more severely, the effects of British aggression than the citizens of any other atlantic states. The flour sells so low since these aggressions commenced that the waggoners return unloaded and prefer hauling the feed for their horses to hauling flour.

Mr F. said the protection secured by the constitution to commerce was well stated and enforced by his colleague (Mr. Smilie) and need not to be repeated. It is well known that the eastern, and most of the middle states were engaged in commerce both direct and circuitous, almost from the commencement of ther colonization; that restraints on the commerce by the British government was one principal cause of declaring independence. The power to regulate and protect commerce was endeavored to be vested in the old Congress, and the necessity of obtaining that power was the moving cause of changing that form of government; therefore his colleague was right in stating that the commerce of the eastern and middle states has an equal claim to protection as the agriculture of the southern states. If we denounce the character of one class of citizens, such as the merchants as a body have been denounced on this floor, we may go on and denounce another and another class until one state denounces another, and so put an end to the union, and destroy all confidence between citizens of different professions as well as between different states. Congress is fully vested with the power of regulating commerce with foreign nations, and consequently with the power of protecting and of restraining it. Congress can limit the extent to which what is called either the direct or carrying trade ought to be permitted, but as far as any trade is authorised to be carried on it is entitled to protection.

Mr. F. said that though he absolutely denied that the resolution was a measure that in justice or on the acknowledged principles of the law of nations, led to war more than any other resolution submitted to the committee did, yet he acknowledged that it would occasion more privations than some of them. It would lessen the supplies of some kinds of such manufactures as we were accustomed to consume. It would, in some measure, change the accustomed channels of commerce. It would for some time, no doubt, lessen in some degree the amount of our revenue, but by no means to the terrific amount suggested by some gentlemen who have spoken in opposition to the resolution. Our merchants, possessed as they are of a sufficient number of ships and a competent amount of capital will, in the pursuit of their own interest, find a sufficient supply of manufactures from other countries, and thereby encourage a competition with the manufactures of Britain, and even if for a time they fail in doing this, they will procure British goods from other countries to which they will be transmitted at a considerable loss to the owners, so that our necessary wants will be supplied and our revenue suffer very little defalcation, and our own manufactures be encouraged This is however supposing the worst that may happen, it is supposing that Britain will have so much lost all respect to her own interest as to persevere in her aggressions contrary to her interest; this she has rarely heretofore done, and her relief is fully in her own power—let her only act as before last August.

Mr. F. said that after all, the question is not so much whether we shall adopt the resolution now before the House, as whether we shall agree to any measure of any kind to strengthen the hands of the Executive in negociating with Britain. That we should do so he considered as absolutely necessary, but the choice of measures would be governed by the view of their expediency, all things considered. What will be the consequence of neglecting to do any thing? To answer this question let us examine how the case stands. We are officially informed, that the President has made every effort in his power to negociate; failing in the object of these efforts he has officially laid the case before Congress, which is exclusively vested with competent powers to prescribe rules in such an emergency; they only have the constitutional power of declaring war, if that is expedient; but as the intention of declaring war is equally repugnant to the wishes of those who support the resolution, as it is to those who oppose it; and as the British treaty secures to both nations the right of prohibiting importation, it is evident that however the aggressions complained of might justify war; it is the wish of all the members to use every other practicable method to procure redress rather than resort to war, but if no measures are adopted to induce G. Britain to enter into a reasonable negociation, it had been much better that the President's message and the documents accompanying it had never been referred to this committee, and that the resolution before us or any other resolution with a view to the same object, had never been discussed; because the subject being once discussed and no measures agreed to calculated to procure redress, Britain will be justified in believing that Congress approve of what the President considered as aggressions, especially as some of the arguments on this floor were not only an apology but a vindication of the adjudications of the British courts, if not of the impressments.

After making some apology for detaining the House so long, Mr. F. requested permission to make a few observations on a subject which, though it had no relation to the question before the House, yet it had oftener than once been introduced by the gentleman from Virginia, without being called to order. Every member knows that some subjects had been discussed with shut doors early in the session, and that the confidential obligation was not yet removed. The gentleman who introduced the subject in language not very decorous, knew that it had no connexion with the question before the House. He would not pretend to arraign the gentleman's motives, but the evident tendency was to excite an unnecessary alarm in the minds of the citizens, be his intention what it would, it would not very extensively have that effect. All well informed citizens knew that the House had a constitutional authority to shut the doors when the subject in their opinion required secrecy, and every member experienced in public bodies knew, than even an allusion to what was discussed with shut doors, was never permitted, however innocently or inadvertently it was done, without an immediate call to order; and for a very good reason—because it could not be replied to. Mr. F. said he had been many years a member of public bodies, and often sat with shut doors, but never before this occasion observed such allusions made to it in public debate without a check. It is well known that the members never for their own sakes, wish to sit with shut doors, they know that when they do so, some important restraints in favor of decency and order are wanting.

The gentleman from Virginia and other members who sat in the 7th Congress know that a subject was discussed and decided with shut doors in conducting which that gentleman was a principal agent, the injunction of secrecy was not taken off till after the meeting of the first session of the next Congress, nor even yet is it wholly removed; the gentleman from Virginia knows this and knows that it has never been complained of, nor in this manner introduced on the floor. It is well known that with few exceptions, such as laying an embargo, &c. the doors are never shut but on foreign affairs communicated in confidence by the President; that even these are not kept on account of our own citizens but on account of our foreign relations, not only on the account of the nation that may happen to be the subject of the communication, but on account of other nations who might interfere to our injury, and sometimes on the account of the agent there, from whom important information may have been received. This, the gentleman from Virginia knows well. It is vain by any such arts to persuade the citizens that the majority of their representatives would knowingly betray their interests when the doors were shut. Their constituents have a much better security than open doors, or even oa ths; they have a common interest with their representatives and their representatives with them; they could not betray the interests of their constituents without betraying their own. Mr. F. said, he was a farmer, his sons and his sons in law, were farmers, and his grand children most probably would be farmers, and his constituents were as generally so as in any other district in the union; and when he looked around him, he believed the majority of the members depended on agriculture also; the citizens knew this, and therefore knew that the members could not injure their interest without injuring the interest of themselves and their posterity.

(*TO BE CONTINUED.*)

CHASE'S TRIAL.

This day is Published

By SAMUEL H. SMITH.

TRIAL

OF

SAMUEL CHASE,

AN ASSOCIATE JUSTICE, *of the Supreme Court of the United States,*

IMPEACHED

By the House of Representatives, for HIGH CRIMES AND MISDEMEANORS, before the *Senate of the United States.*

Taken in short hand,
By SAMUEL H. SMITH & THOMAS LLOYD.

In Two large Octavo Volumes—in Boards, price—to subscribers four dollars and a half—and to non-subscribers five dollars.

A much greater delay has been incurred in the publication of this trial than the Editor contemplated. He has, however, the satisfaction of saying that no effort has been omitted by him to give it to the public at an earlier period. The delay has arisen from the revision of the speeches of the Managers and Counsel The publication might long since have been made in a less perfect dress; but it was deemed highly desirable that in a case, which, independently of its own importance, might be a precedent in future times, to sacrifice time rather than precision. The work now appears before the public with the expectation of the Editor that it will be considered as meriting the character of an impartial, comprehensive and faithful statement of facts. All the speeches have been revised and inserted at length, in connection with whatever else formed a part of the trial.

Editors of other prints will confer a benefit by inserting this advertisement a few times in their papers.

March 24—

BY virtue of a Deed of Trust from the Rev. George Ralph, to Samuel Tyler, deceased, and Mary Pottinger, will be sold at Public sale for cash, on Tuesday the first day of April next, at Mr Chaplier's tavern, Charlotte Hall Academy in St. Mary's county, a tract or parcel of land, called HULSTON, situate, lying, and being in the vicinity of said academy in St. Mary's county aforesaid, containing about 150 acres also 6 negroes, consisting of three valuable men, a woman and two likely boys.

MARY POTTINGER, Survivor of Samuel Tyler.

Prince George's county, March 3—w5t

Thirty Dollars Reward,

FOR apprehending and securing in jail negro JACOB. who is a low well made fellow, about 25 years of age, complexion rather black, tho' not deep, has a pleasant countenance, is stout made about the shoulders and breast with small legs, has a stoppage in his speech and cannot make a quick reply, when spoken to without shutting his eyes or being in motion, which is very observable, his clothing was blue negro cotton jacket and overalls, oznaburg shirt, and wool hat, though they are subject to change, he was late the property of Richard E. Beall of Fauquier county, Virginia, and eloped about the 6th of November last. The constables and others of the city of Washington George Town, Alexandria, Baltimore, Philadelphia and Norfolk are requested to look out for the said runaway slave, as the above reward will be immediately paid them on the terms specified by

JOHN KEDGLIE.

City of Washington, Dec. 26—2awtf