American citizens may be voluntarily engaged in British employment, by land and sea, and British subjects may be and unquestionably are, voluntarily employed on board our vessels, in our shops and on our farms. That is a kind of intercourse which is not forbidden. It is common among nations, and cannot be a just cause of offence or of impressment by way of retaliation.

Gentlemen, I am afraid, have imbibed unreasonable prejudices against our seamen. Some of them undoubtedly are profligates and renegadoes. Such characters are found among all professions and denominations. But, in general, our sailors are a hardy, honest, brave, generous, though improvident race of men. Many of them are young men from respectable families in the seaports and inland towns. Others have families of their own, as dependent on them, and as dear to them, as ours are to us. It is true, they are not generally opulent. If they were, they would be above the necessity of venturing on the stormy element for a livelihood. It is admitted that they are poor; but, is their poverty a sufficient reason for putting them out of the national guardianship? Their occupation is indeed a humble, a hazardous one; but it is as lawful and as honest as that of the farmer in his field or the mechanic in his shop. They are our fellow citizens, and have as fair a claim for public protection, as we ourselves can have.

On a late occasion, when two or three hundred of them fell into the hands of the Tripolitans, the sensibility of the nation was touched in every nerve. All branches of the government partook of the national spirit. Extra expenses were immediately incurred on their account. Yes, sir; you laid a new tax, an addition of two and a half per cent. to the impost on all articles charged with ad valorem duties. That additional tax was cheerfully paid by our fellow citizens, for the purpose of redeeming their brethren from captivity. An extraordinary naval armament was sent to the Mediterranean. The services of our heroes, by sea and by land, were exerted; and their exertions were crowned with success. The captives were ransomed, and returned, with tears of joy and gratitude, to their country, their families, their friends and their business. The whole nation rejoiced at the event. Is there any member of this committee, who did not participate in the general joy? Is there any American, who does not feel proud of this spirited interposition of our government? What, let me ask, was the occasion?—The captivity of three hundred of our seamen.—And shall we, then, be passive, and do nothing, when ten times that number, of the same class of our fellow citizens, engaged in the same occupation, are forced into a worse than African bondage? Sir, I have no personal knowledge of any of these sufferers or their connections, living remote from the usual places of their habitation and resort. Probably most of us, from our situations in life, are unconnected and unacquainted with them, and have not, therefore, a very lively sympathy for their sufferings. But, to bring their case home, let every one suppose he had among them, a son, a brother, a friend or a neighbour, suddenly seized, while pursuing his lawful employment, interrupted in his plans of business, ruined in his affairs, not only prevented from returning but even from writing to his friends, confined in a floating prison, obliged to labor without hope of reward, subjected to a discipline naturally rigorous, and rendered more intolerable by his reluctance to submit, treated perhaps with daily insult, liable to the blows and lashes of an unfeeling boatswain, and what is worse, if possible, compelled to expose his limbs and his life in battle, to fight for his oppressor, against nations with whom neither he nor his country has any cause of war, remembering, in his intervals of relaxation, remembering, with painful contrast, the freedom of his native land and the endearments and delights of home, still hoping to be released, through the interposition of our government, but, in the mean time, enduring all the anxiety of suspence—I know not how others feel; but, for myself, I declare, were I reduced to the sad necessity of making a choice, I should prefer a Tripolitan or an Algerine captivity, to an impressment on board a British man of war. Sir, I am not describing to you an imaginary scene. Thousands of such cases actually exist. This is a serious fact, of which the world are now witnesses. In the face of the nation, it is officially made known to us, and, with the other subject of national complaint, expressly submitted to our consideration. We cannot shut our eyes against them. We cannot any longer be ignorant of them. We cannot, indeed, avoid acting on them; for, in the existing circumstances, even to do nothing, would be acting. It would be virtually surrendering those rights, which the President is insisting on as "too evident and too important to be surrendered." It would be deserting him, on the national ground which he has taken, and on which he ought to be supported by the nation, and the states, and every private citizen. It is a common cause.—Not only our honor, but our interest is essentially concerned. With Great Britain too it is a question of interest. She has occasion for our sailors, to man her fleets and fight her battles. She wants our neutral property for the double purpose of depriving her enemies of the benefits of commerce, and at the same time supplying herself with the means of prosecuting the war. She will, therefore, proceed, until we convince her it is for her interest to desist.

It was not my intention, Mr. Chairman, in addressing you at this time, to examine the merits of the proposition immediately before the committee, or any other particular measure proposed on the subject; but simply to take a view of the nature and extent of our differences with Great Britain, and our obligation to give the executive some efficient co-operation. The President is performing his duty of negociation, and for a faithful performance of it he is responsible to the nation. In the mean time, he has left it with the Representatives of the states and of the people, to determine what legislative measures, if any, shall be adopted, in aid of his exertions and in support of our neutral rights. On Congress, then, on each House, on every individual member, so far as the influence of one vote extends, now rests the solemn responsibility of this determination.

*(Debate to be continued)*

# WASHINGTON CITY.

### *FRIDAY, APRIL 11.*

The Senate of the United States yesterday ordered the bill prohibiting the importation of certain goods, wares and merchandise from Great Britain, to a third reading—Ayes 20—Noes 9. The only material alteration, we understand, made in this bill as it went from the House of Representatives, is to admit the importation of black bottles.

We are advised by those who, from their position, heard the Speaker more distinctly than we did, on the point of order on Saturday, that there is an incorrectness in the statement in our last paper; and that the Speaker's decision was that the message of the President might be read,—that he had in secret sitting declared his opinion that the resolution adopted directed the printing of the proceedings, but that he could not undertake to put a construction on it.

### *CONGRESSIONAL LIBRARY*
AT WASHINGTON.

A Library for the special use of the two Houses of Congress, was formed several years ago in the Capitol at the seat of the national government. This contains already a valuable collection of books. And to add to their number, an appropriation of money for the purchase of more, has been made during the present session. This is to be expended under the directions of a joint committee consisting of *Messrs. Mitchill, Adams & Baldwin* of the Senate, and of *Messrs. J. Clay, T. M. Randolph & Dana* of the House of Representatives. It is worthy of the consideration of authors and publishers of books in the United States, whether it would not be well worth their while to send copies to the keeper of the Congressional Library. By depositing their works in that collection, they will be seen and perused by gentlemen of distinction from all parts of the United States. The fame and emolument of the writers and proprietors of printed books can perhaps be promoted in no manner more effectually than by placing copies of them in this growing collection. It will be a publication of them to all the states and territories, in some respects more effectually than by advertisements in the newspapers, and by distribution of catalogues. Gentlemen desirous of having their publications exhibited in this public and conspicuous place, may forward them, free of expence, to Mr. Beckley the librarian, who will thankfully receive, and carefully preserve them, for the use of the Representative Bodies of the American nation.

### COPY.

*THURSDAY, SEPT. 26, 1805.*

COURT OF ADMIRALTY,
*Doctors Commons.*

DISPATCH,
BERNERS, *Master.*
*Before the Right Honorable Sir William Scott.*
*SENTENCE.*

Court.—This case is of very considerable importance in point of the value of property, and in point of the extent of principles which it might involve. It is an American ship going from Amsterdam where she had delivered a cargo from Canton, and was going back again with a cargo taken in at Holland for the purpose of being disposed of at Canton, there another cargo was to be put on board and from the general papers she appeared to be destined again for Amsterdam. There is a sort of information that she was to come to Embden and a market, or rather to express more accurately, that the bills of lading were to be filled up for Embden and a market, but the general tenor of the papers indicate an intention that the return voyage should be to Amsterdam—I may construe the expressions too narrowly.

The first question is with respect to the property. I cannot say I have seen any thing in these letters that tends to shake the title of property. In this case there is very fair proof of its being the property of these persons in America. It is very possible that the supercargo (who undoubtedly is a young man) may have been open to the addresses of persons in Holland who may be in a state of distress, but I cannot possibly take it against the mass of evidence here furnished. As to what has been said with respect to advances by persons in Holland, it is nothing more than what is common, without which commerce could not be carried on. They are advances which are not to give the persons any interest in the goods, they are merely mercantile advances, and are not to be considered as carrying any thing disadvantageous to the title of the property. I think it would be vexatious if I was to direct further proof in regard to that circumstance. If the papers are all fair, if there is nothing that arises in the transaction which points to other interests, the court looks no further, and therefore I shall dismiss that part of the case as sufficiently proved to the satisfaction of the court.

The second question is, as to the national character of the persons who come there as supercargoes. I think it is not unreasonable to enquire whether those persons have left Holland or are still remaining there superintending the cargoes which they have imported; for the character of a supercargo is easily mixed and changed for that of a merchant—they might establish a domicil there, and carry on a trade in that sort of way which a belligerent country does not authorize—whether these supercargoes are staying there in the prosecution of their former adventures or for the purpose of a general trading to an indifinate extent. I understand that these parties are now in England, and if that is known to the parties on the other side; their affidavits will not be necessary.

The case being clear of these two matters of fact, the title of property, and the character of those persons in some degree,

The third question is, as to the legality of the trade which is carried on in this case and in many instances of neutral ships; a trade from Amsterdam to Canton in China, and from Canton in China to Amsterdam.

And it is made a question whether this is a trade which a neutral can legally engage in? Certainly it is a case extremely distinguishable from Mr. de Konnick's which has been alluded to. In that case Mr. de Konnick had entered into a contract with the Dutch East India company, in which it was avowed that these goods could not be imported by Dutchmen themselves with security, because they were reduced to such distress by the prevalence of the British arms in that part of the world. The contract held that it was *eo animo* for the protection of the commerce of the enemy—that case therefore is very distinguishable from this, for there the fact was avowed on both sides. In the present case it is said, that this is a trade arising entirely from the pressure of the war—I am not prepared to say the papers do support that assertion. The circumstances alluded to of a certain commission and advantage are no more than what might have occurred in time of peace, and the matter of fact in this case is not before the court in such a form as to apply it with any harshness.

The court saw in a variety of cases last war the East India trade of Holland subject to much variation—it continued some time in the Dutch East India company, that went to ruin and it fell into other hands, and it did appear at the conclusion of the war, advice was given by Mr. de Konnick in one of his letters respecting whether the trade which had continued open during the peace or not, he recommended if it continued open it should continue open only to the Danes, but how far that advice was adopted I have nothing to satisfy one way or the other; from the number of vessels engaged it appears it was open to a great extent. The present was at no time so confined as the trade to Batavia, the Americans have as great a right to go to Canton as to any port in the war, it rests entirely with the Chineze, the Americans have a right to go to Canton and trade with the merchants there, whether they have factories there or not, therefore it does not distinguish the present case to its advantage from that of trading to the Dutch E India settlements properly so called, but I cannot go the length of saying that there may not be something in the trade as it now exists which may require more elucidation, & when I see there are a great number of cases which may probably occur, and looking to the magnitude of the present concern, I think I am consulting the interest of both countries in requiring further information respecting that trade. If it is a trade which is perfectly legal and open it is very fit that American ships should not be interrupted in their commerce. If it should turn out that it is a trade which does improperly interfere with the just rights of this country as a belligerent, there it is necessary that commerce of this nature should be subject to any consequences which captors have a right to inflict upon it. Under the various changes it has undergone and the imperfect information which this case furnishes, I shall allow further proof to be given with respect to the general nature of the trade between Amsterdam and Canton.

N. B. The captors in this case gave up the ship without bail and no further prosecution carried on.

During the late peace, the Dutch East India company allowed neutrals, as per several contracts that were made, to go from Amsterdam to Canton and to return to Amsterdam.

### COPY.

*PERSEVERANCE,*
BLACKSTON, *Master.*

This ship sailed under American colours, and was taken the 7th Dec. 1805, when on a voyage from Wampoa near Canton, in China, to Newcastle, in North America and Embden with a cargo consisting of tea, sugar, and nankeens, by the private ships of war, Lion, Wm. Bell, commander, and Diana, Wm. White, commander, and brought to Portsmouth.

1805, Dec. 23. The captor's proctor brought in the ship's papers and preparatory examinations, and prayed the usual monition against the ship and cargo.

27. A claim was given of Thomas Baring for the ship and part of the cargo specified in the said claim, as the property of Ralph Peters, of Philadelphia, merchant.

1806, Jan. 17. A further claim was given of Thomas Baring, for the goods specified in the schedule, annexed to the said claim the whole as the property of American subjects.

The cause came on for hearing on the 23 and 24 January. When the judge admitted the claims, and pronounced the ship and cargo to belong as claimed and decreed the same to be restored to the claimant, for the use of the owners and proprietors thereof, reserving the question of damage arising from the detention.

From the great length of the papers the cause occupied much time in the discussion, and the case of the captors was principally supported from the cargo being consigned to Messrs. Hope and Co. of Amsterdam, who were previously apprised of the shipment, and other circumstances relative thereto, but the court thought this fully explained by the evidence. He held that this circumstance and the master or supercargo not having in the first instance delivered up all the papers justified the captors in their original seizure and examination, but doubted whether it did not in their subsequent detention and bringing the case to an hearing before the court, and therefore reserved the question of damages arising from detention.

Upon this point judgment has not yet been delivered.

DOCTORS COMMONS,
Feb. 3, 1806.

*We have been desired to publish the following, as a fuller statement of the remarks made by Mr. Jackson on Saturday, than that given in our last paper.*

MR. JACKSON—Is it not the right, Mr. Speaker, of any member to demand an official copy of the message?—You have decided it to be a part of the public journal, ordered to be printed—and no appeal has been made from that decision—how can it then with propriety be said, it shall not be read, because the reading of it will give it publicity? As so much has been said of the important bearing of documents sent to us, and we have published *our* proceedings, it is my wish to see them all exposed to public scrutiny—I am not now prepared to make a motion which I shall offer at a proper time, unless anticipated by some other gentleman, that the President be requested to lay before the House, all the papers heretofore communicated by him, with a view of giving them publicity—I wish on all occasions to give publicity to my conduct as well in conclave as when these doors are open, and I will take this occasion to repel an insinuation made the other day in the debate on the Yazoo question, by a gentleman from Virginia, (Mr. J. Randolph,) which I have heard was applied to me—That I left my seat for fear of voting on it, and removed to a different part of the House—Sir, I will candidly confess, that although the year before the last, I had declared I considered it for the interest of this country, that those claims should be compromised, and voted for the compromise of them—yet last year when I found gentlemen in whom I had great confidence, of opinion that such a measure would tend to sanction a scene of nefarious swindling—I was induced to determine then, and so expressed myself, that I would not vote again upon the question—and I was the more inclined to pursue this course from a supposition that my knowledge of the vital injury which my district had sustained by the existence of a claim, called the Indiana purchase, which hovers over their heads, and in consequence of its recent resuscitation, lands have been sold at one fourth of their value, and which claim is certainly more exceptionable than that of many of the persons who purchased from the Yazoo men—might produce a bias in favor of compromise which was improper—and I was willing to think that my opinion was incorrect—But at the same session when the gentleman from Virginia charged all who *had* voted for the compromise with corruption, and threatened them with the vengeance of the people—and when it was declared that no member from Virginia, who had the temerity to vote for it, should be re-elected—I was driven from the neutral ground I had taken—and thus borne down by the impetuous intemperance of the gentleman, I thought it became me not to shrink from the vote I had given—The reasons on which I acted were made public. I brought the question fairly before my constituents, and they re-elected me by a greater majority than formerly—I could not, therefore, decline to vote for a measure which they and my judgement approved, & which I believe the faith of Congress has been pledged to sanction—As an individual, I cared not what was the fate of the bill from the Senate—As a judge to whom the claims of our citizens was presented, I wished that it should be *ex equo et bono.*

The gentleman from Virginia knows I refused by my vote to give leave to the gentleman from Maryland to be excused from voting, as I not only stood up when a division was called for, but made the remark which he repeated, that he was not compelled to vote, but might retire. After giving this vote I went across the House to ask a friend from North Carolina to spend a social evening with me. He is now in his seat, & I appeal to him that I did not even mention the subject before the House—When the same question occurred I voted by him, as I had before voted; I knew of nothing that could drive me from my purpose, or from my seat—I will not attempt to scan the feelings which predominate in the mind so illiberal as to attribute unworthy motives to, and manifests a jealousy of every man that differs from it—it is a topic fruitful of commentary, it involves considerations which I will not delineate—for my part I do not envy those feelings, I thank God such is not my nature. It is always unpleasant to me to engage in controversies which have a tendency to excite the malignant passions. I wish to avoid them as much as any man living, as far as is consistent with my honor and reputation—but I never will shrink from a contest political or personal, in this House or out of it at the sacrifice of either.

### *HOUSE OF REPRESENTATIVES.*

*MONDAY, APRIL 7.*

The Speaker informed the House that the bill to compensate the witnesses who attended the trial of Samuel Chase was for a third reading, on which

*Mr. Leib* rose, and said that he had a motion to make on the subject. It was that the bill should be re-committed to a committee of the whole House. By the provisions of the bill compensation was to be made to the whole of the witnesses who attended the trial, on behalf of the accused as well as of the prosecution, & to this he never could or would consent. It was the establishment of a principle, which did not obtain in the courts of the U. S. nor he believed in the courts of the respective states, and in the case of a great culprit. He had been pronounced guilty by a great majority of the House, and a majority of the Senate had concurred in the decision, and to make this provision for the payment of his witnesses, indicated a consciousness that the decision had been unjust. To this he was not willing to subscribe. He was not disposed to libel the House by any act of this sort; for it was a libel on themselves for the members who accused, to manifest their consciousness of having acted unjustly by a provision to reward the culprit by the payment of his witnesses. If it is just thus to provide in the case of Chase, we ought to travel back, and commence the business of justice in cases of innocence. It cannot be forgotten, that an insurrection was said to have existed in the year 1794 in the western counties of Pennsylvania, and that for certain purposes this insurrection was produced. Victims were then required by certain members of the government, and among them was a member of this House [Gen. Hamilton.] He was dragged from his home to the city of Philadelphia, incarcerated, and a bill against him sent to the grand jury. It was returned ignoramus, and notwithstanding the innocence of this gentleman was thus established, he was put to an expence of between five and six hundred dollars, not a cent of which was ever refunded to him! Are we then disposed to provide for an acquitted felon, to remunerate him, to give him a premium for his iniquities, and to leave innocence unnoticed? He trusted not. He hoped the House would not dishonor itself by such an act, and he, therefore, hoped a recommitment of the bill would take place.

The motion was agreed to, and the bill recommitted.

TUESDAY, APRIL 8.

A joint resolution was adopted for adjourning the two Houses on Wednesday the 16th instant.

On motion of *Mr. Jackson* the following resolution was agreed to:

*Resolved,* That the secretary of the treasury be requested to communicate to this House any information which he may possess in relation to an application said to have been made to draw money from the treasury for the purchase of the Floridas before an appropriation made by law for that purpose.

WEDNESDAY, APRIL 9.

*Mr. J. C. Smith,* from the committee of Claims, made a report on a letter of William Eaton, concluding with a resolution that the proper accounting officers be authorised and directed to settle the accounts subsisting between the U. S. and William Eaton, late Consul of the U. S. at Tunis, under the direction of the secretary of state; which resolution was agreed to, and referred to the committee of Claims to bring in a bill; who during the sitting, brought in a bill authorising the settlement of accounts between the U. S. and William Eaton, which was referred to a committee of the whole to-morrow.

The Speaker laid before the House a letter from *Joseph H. Nicholson,* resigning his seat as a member of the House.

*Mr. Gregg* from the committee on public lands, made a report on the petitions of sundry officers, and representatives of officers who served in the British army in the war which originated in the year 1755, stating the inability, in point of time, to attend to these cases during the present session, and concluding with a resolution for the indefinite postponement of the petitions, in which the House concurred.

The Speaker laid before the House a letter from the secretary of the treasury, transmitting a statement of the exports of the U. S. from the 1st of October, 1804, to the 1st of October, 1805—by which it appears that the whole exports of the U. S. for that time amount to - - - - 95,566,021

Of which amount the exports of domestic growth or manufacture are, - 42,387,003