AN ACT,

For the punishment of counterfeiting the current coin of the United States, and for other purposes.

BE it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist, in falsely making, forging or counterfeiting, any gold or silver coins, which have been, or which hereafter shall be coined at the mint of the United States, or who shall falsely make, forge, or counterfeit, or cause, or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting any foreign gold or silver coins, which by law now are or hereafter shall be, made current or be in actual use and circulation as money within the United States; or who shall utter as true any false, forged, or counterfeited coins of gold or silver as aforesaid, for the payment of money with intention to defraud any person or persons, knowing the same to be falsely made, forged, or counterfeited; any such person so offending, shall be deemed and adjudged guilty of felony, and being thereof convicted according to the due course of law, shall be sentenced to imprisonment, and kept at hard labor for a period not less than three years, nor more than ten years; or shall be imprisoned not exceeding five years, and fined not exceeding five thousand dollars.

SEC. 2. *And be it further enacted,* That if any person shall import or bring from any foreign place into the United States, any false, forged, or counterfeit gold or silver coins, which are by law made current or in actual use and circulation as money within the United States, with the intent to utter, or make payment with the same, knowing the same to be falsely made, forged, or counterfeited; or who shall utter as true, any such false, forged, or counterfeited coins of gold or silver as aforesaid, for the payment of money, with intention to defraud any person or persons, knowing the same to be falsely made, forged, or counterfeited, the person so offending shall be deemed guilty of felony, and being thereof convicted according to the due course of law, shall be sentenced to imprisonment, and kept at hard labor for a period not less than two years, nor more than eight years; or shall be imprisoned not exceeding two years, and fined not exceeding four thousand dollars.

SEC. 3. *And be it further enacted,* That if any person shall fraudulently and for gain's sake, by any art, way, or means whatsoever, impair, diminish, falsify, scale, or lighten the gold or silver coins, which have been, or which shall hereafter be coined at the mint of the United States: or any foreign gold or silver coins, which are by law made current or are in actual use and circulation as money within the United States, every person so offending shall be deemed guilty of a high misdemeanor, and shall be imprisoned not exceeding two years, and fined not exceeding two thousand dollars.

SEC. 4. *And be it further enacted,* That nothing in this act contained, shall be construed to deprive the courts of the individual States of jurisdiction, under the laws of the several states, over offences made punishable by this act.

NATHL. MACON,
Speaker of the House of Representatives.

S. SMITH,
President of the Senate pro tempore

April 21, 1806.

APPROVED.

TH: JEFFERSON.

CONGRESS.

HOUSE OF REPRESENTATIVES.

TUESDAY, MARCH 11.

DEBATE
On Mr. GREGG's Resolution.

[CONTINUED.]

MR. JACKSON. My conviction of the importance of this subject will plead my apology for the trespass I make on the time of the committee. I propose to take a rapid review of the points in discussion between this country and Great Britain, and to touch lightly upon the arguments of gentlemen, who have contended that it is better to surrender them than to assume an attitude of resistance, or to adopt measures perfectly pacific for the purpose of producing a relaxation of the arbitrary systematic attacks upon our neutral rights; for with one or two exceptions, the objections adduced go to sanction the opinion that the commerce in question ought to be abandoned; and that this government ought not to do any thing to protect it. The measure presented to the consideration of this committee is calculated to produce a redress of the grievances complained of, with so much justice. 1st. The capture of our vessels sailing on the high seas, in strict observance and obedience to the law of nations, and 2ndly. the impressment of our seamen, bona fide citizens protected by the flag of the nation. While we are discussing the proposition of resorting to a remedy to redress these evils, we are met by gentlemen who deny that it is right to do any thing. *First*—Because the executive has not recommended any particular measure; and *Secondly*—because the trade under consideration is fraudulent, and the citizens impressed are the subjects of G Britain.

With regard to the first allegation, that the executive has not recommended any specific measure, was it not objected under a former administration that the executive interfered improperly in legislative measures? Congress possess the constitutional power of declaring war, and should the executive recommend a declaration of war to us, I presume we should hear much of the executive attempting an undue and indecent influence over our legislative powers, for judging by the past I have no doubt that whenever such a recommendation shall be made by the executive, it will be opposed by the same persons who now call for his recommendation, and express dissatisfaction at his withholding it.

But it is asserted this trade is fraudulent, and it is dishonorable to protect it. So much has been said and written upon this subject, that it is altogether useless to combat the arguments urged on this floor—for it is not because a celebrated pamphlet, without an author, has been written on the subject on this side of the water, vindicating the fairness and legality of the trade, or as gentlemen will have it, surrendering the question at the threshold, or because another equally celebrated has been written on the other declaring it "War in Disguise," that I will consent to be concluded on the question, as they are all free game, and ought to pass for nothing unless their arguments carry conviction to the mind. The question resolves itself into the consideration whether this trade is fraudulent or not. Can we exchange our productions with the colonies of the belligerent nation—bring here theirs, and carry any surplus beyond our wants to other nations? I conceive that we can—common sense sanctions the opinion. Gentlemen however say, we cannot. That the property is not changed, but still belongs to the original owner of it, and that our neutral flag fraudulently covers enemy's property. But gentlemen deal in a mere coinage of the fancy when they say so. I demand their proofs—they will not accept our opinions; and I with equal propriety reject theirs. How will they know that this is not our property? It is said that a want of capital is a proof of it; but on investigation it will be found, that the American capital is fully adequate to the carrying on this trade. Do not we find our merchants engaged in the trade to the East Indies, which requires a capital of three and four hundred thousand dollars, and if the trade to the West India islands be equally profitable, is it not to be presumed that they will likewise engage in it? If this property does not pass by the transfer as we contend it does, it may be maintained that a horse sold in the open market will be subject to an execution subsequently issued against its previous owner, nay even that the executor of such owner may sue for and recover it. But this argument shakes every principle involved in commerce to its foundation; its origin is traffic, which induces one man to exchange the surplus beyond what is necessary to him for that which is necessary, and was the surplus of another—and if the property is not changed by this *traffic* nothing is safe, every thing is afloat, and no man knows to whom any property belongs which may happen to be in his possession. Such a doctrine must destroy all commerce at a single blow. But, say gentlemen, G. Britain indulges us in pursuing the honest carrying trade. I disclaim the position. How can she be said to *indulge* us with a right sanctioned by the law of nations: a right inherent in every independent nation. I contend that the trade to which I have just alluded, is as just and honest as any other trade of this country afloat on the ocean.

Great-Britain not only imposes on our trade, the restriction which interdicts our carrying the products of the colonies of her enemies to the mother country, after incorporating them with our own stock, but she disallows all trade with her enemies in time of war not permitted in time of peace. The gentlemen from Virginia argues this is correct. He says Great-Britain has a preponderance on the ocean, and inquires whether we have a right to check it by supplying her enemy with any thing necessary to relieve his wants. This is going farther than "War in disguise," than the time serving sir William Scott who sometimes recollects that he is called on to expound the law of nations as a judge, and at others only to register the orders of the king and council, or any other man in England. Does not this strike at the root of the whole trade of our country? There is no nation at war that is not more or less supported by our products; they derive from us the means of subsistence, and the carriage of them it seems is to be prohibited because Great Britain has a preponderance on the ocean, and can starve out her enemies if we are not permitted to carry to them. Great Britain says you shall not carry on a trade in time of war not permitted in time of peace. She seizes our vessels; inverts the natural principle of evidence, throws the *onus probandi* of showing that the trade then prosecuted was carried on in time of peace, on the owner of the property, & thus our whole trade afloat is exposed to hazard and vexatious interruptions. But in defiance of this rule set up by herself, Great Britain opens in war her own islands, whose trade is shut up in time of peace. Test then her principle by her practice. It will not be contended that she connives at a fraudulent trade, or justifies it as lawful with herself when she declares the same trade relatively to to her enemies, illicit and subject to condemnation. If then she is not governed by narrow and unjust views, she cannot contend that that is right when it respects herself, which is wrong in relation to another. She has yielded that question by opening her ports in war which were shut in peace, and has made, even if there existed a previous doubt, this trade lawful. But not confined to going this length, she carries on that trade herself which she denies to us—thus adding another to the numerous outrages committed upon us. If we acquiesce in this doctrine advocated by G. Britain, sanctioned by her admiralty courts, and enforced by her cruizers—I ask if we shall not violate that honest netrality which compels us to treat all nations alike. The great principle of a neutral nation as defined by the law of nations, is to treat the belligerents with equal impartiality, and not to favor one at the expense of another. By acquiescing in the doctrine that renders this part of our trade liable to capture, we make ourselves a party on the side of one of the nations engaged in war.

This colonial trade is not only lawful, but it is beneficial to the merchant and also the farmer. Gentlemen have attempted to draw a distinction between the mercantile and the farming interests. I shall by and by expose the fallacy of their reasoning; but at this time I will confine my remarks to proving that this trade is not only beneficial to the merchant but likewise to the farmer. The colonies from which this trade is derived, are fed exclusively from this country—to them we carry our provisions and receive in return their productions. It is not our interest to receive money if they had it, because we should lose the profit on the return cargo—If we were not at liberty to purchase beyond the consumption of our country, the extent of our exports would be diminished in the same ratio, for not having money to pay for our provisions they could not purchase them. The consequence would be that the trade would fall into retail hands, and the loss would reverberate on the farmer, the demand for his productions would be diminished, and they would rot in our warehouses. This shows that the farmer is as deeply interested in the trade as the merchant.

But while we are attempting to obtain justice for this outrage, which some gentlemen admit to be such and others deny, we are told that we are paving the way to war. Will a measure of this kind lead to war? If so, we hold our rights by a feeble tenure. Shall we not be permitted to receive our supplies from other nations as we please? Shall we not be permitted to say to a nation doing injustice to us, we will have no intercourse with you without giving that nation a just cause of war? Strange principle! If a nation is not allowed to take such measures of redress, without involving herself in a war, I cannot conceive in what the rights of a nation consist. I acknowledge myself always to have been a stranger to them. If this measure will have such an effect, any thing we can do will have the same tendency. If to prohibit all articles from G. Britain be a war measure, to prohibit any part of them will also be a war measure, and it is therefore but fair to consider the arguments of gentlemen as equally applicable to doing any thing. If the scourge of war is held over our heads by such a slender thread, shall the fear of it prevent us from doing that which we consider as but justice to ourselves. But the gentleman says G. Britain will not be injured by a war with us even to the value of a single dollar. Such language I should have scarcely expected to hear, even as coming from the English chancellor of the exchecquer, upon the floor of Parliament. I am ready to allow, and I firmly believe, that if Britain thinks it her interest to go to war with us she will do so, she will first strike the blow as she did in the case of the Spanish prizes, and declare war afterwards. So the argument goes for nothing. But we are her best customers. We supply her with raw materials which she cannot obtain from other countries. I consider this as giving us a decided advantage over her, of which if properly used, we may always avail ourselves without giving her a just cause for war. Her writers say a non-intercourse with this country would prove a loss to her of six millions sterling a year. Surely they know what would be the effect of such a measure better than we; and with this assertion staring them in the face, it will not again be said that a war with us would not cost her a dollar. But it is said G. Britain is fighting for her own existence, against an enemy that is most powerful; that she is the only bulwark between France and universal despotism; and thus an attempt is made to enlist our sympathies in her favor. But let her do us justice before she claims our sympathy. Shall we wait until she has subdued the whole continental marine and have triumphed on land, before we demand justice? Shall we fold up our arms, and say we perceive you are convulsed——you are menaced with an invasion; we will patiently wait till you get rid of all these sources of alarm before we press you. Can it be imagined that she is contending for a right in war, pressed, convulsed, and threatened as she is, which she will abandon on a return of peace? This is to suppose that the mellennium is approaching of which G. Britain is to be the harbinger. Practice this system and in a little time you will have nothing left worth fighting for. Let a nation strike at an important branch of your trade, and trample on rights held dear by every citizen of America, and let her know that you will wait till every alarm which she feels is removed, and then ask for justice, that you deem it dishonorable to make a stand until she has her hands cleared of all other difficulties—let this system or no system be resorted to, and you will not, I repeat it, have a right left that is worth contending for. But say gentlemen, if we resort to this measure, Great Britain will go to war, & instead of having 1,500 seamen, she will have 15,000 of our citizens groaning in her prison ships. This is truly a degrading picture, which goes to show that we shall not be permited to resist an encroachment on our rights, because the injury will be increased tenfold. Let Britain once know that this is your mode of thinking, and instead of holding in bondage 1500, she will indeed rob you of 15,000 of your seamen; and instead of capturing 15 millions of property, she will take 150, and you will be as bankrupt in fortune as in character. But say gentlemen, this right is not worth contending for—and ask triumphantly, shall we lose six millions for the protection of one? But if on this score we hesitate resisting aggressions, we shall soon have no millions to lose. Are we then, indeed, to sit down tamely and count the costs; debit so much for honorable resistance——credit so much for national degradation—balance in favor of pusillanimous acquiescence. Are gentlemen ripe for such humiliation? I consider spirit as essential an ingredient in government as in man. Let a nation, or an individual whose rights are invaded, or whose person is insulted, once say he will not resent the injury because it will cost more than patiently enduring it, he will soon not have a right left worth defending. But say gentlemen, will you go to war for this carrying trade? If the question of war were fairly involved in it, I answer yes—I would as soon go to war to protect it, as to protect the right of high way on terra firma. But it is asked will you in infancy contend with Britain who is in her manhood? Sir, if our infancy is not fostered, we shall never arrive at manhood? Better for us to die contending for our rights than submit to such a principle But I have another answer. We have shown ourselves able to contend with this very nation, when we had as many internal as external foes; and if we succeeded against her *then*, shall we fear to contend with her *now*? It is however said, that by this measure we shall lose a revenue of six millions. It is not, however, probable, that we shall incur such a loss The articles we receive from Britain are not of the first necessity. They can be got elsewhere, and our refusing to trade with her will open new markets in other countries. It is contended that our exports will be cut off. This, however is evidently erroneous. We furnish Britain with raw materials which she cannot obtain elsewhere, which, if she could avoid it, she would not obtain from us. She looks to your commercial greatness with a jealous eye, and would not permit a single article to be exported from this country into her dominions, if it could be obtained elsewhere. Where are the cotton and provisions with which she can be supplied? Were she to refuse these productions from this country, she might be likened to an individual who in consequence of a famine in the land could not procure bread except from a single farmer, and because he was his enemy—would rather than do this, sit down and die. Millions of her subjects depend for bread and support on you. Cut off the exportation of raw materials to that country, or the importation of her manufactures into this, and the effect will be almost as serious as the invasion of Ireland by a French army. Her whole people will be up in tumult against the government; for what political body can legislate, or what police can guard effectually against starvation; against impending ruin. But the trade with Britain, it seems, ought to be fostered by us. Why? Is it because it presents a great balance against us? For let gentlemen say what they will, they must allow the balance is in her favor. But they ask how is this balance made up? From the balances in our favor drawn from the trade with other countries; it is therefore ruinous, for it is a maxim well established and known by Great Britain, that a nation never can accumulate wealth from a trade when the balance of such trade is against her; and that a trade under such circumstances ought almost to be interdicted. But gentlemen say, G. Britain knows the genius of the American people; and if they go to war, we will make peace with her on her own terms. I will admit the genius of the American people is pacific.

[It being now the usual hour of adjournment, Mr. Jackson waved the remainder of his remarks until the next day.]

(Debate to be continued)

WASHINGTON CITY.

WEDNESDAY, MAY 7.

The President of the United States yesterday left the city for Monticello.

It is with great pleasure we are enabled to state, that advices received from Mr. Monroe, of as late a date as March 11, are of a more favorable complexion relative to the amicable adjustment of our differences with Great Britain, than any previously received.

We understand that the Spanish agents at Mobille have agreed that that city shall be a place of deposit for goods brought in vessels of citizens of the United States arriving there; and that goods having been so deposited may be carried either up the river or outwards.

We further learn that in consequence of the disturbed state of the frontier, a large portion of our army, amounting to about one thousand men, have been directed to station themselves at Fort Adams.

The following paper is taken from the Charleston Courier. Appearing without date, or the attestation of signatures, we are at a loss whether or not, to consider it authentic. Whether it be authentic or not, its contents will reward the trouble of the reader. The topic, in the present state of our affairs, is uncommonly interesting, and it is treated in this performance with no inconsiderable ability. If it is not an actual expression by the people of Tombigby of their sentiments, it is probably at least a faithful delineation of them.

If it be authentic, our readers will scarcely fail to contrast its concluding language with that recently held by the federalists of New-York. The rights of our citizens at both places have been invaded by foreign powers. In the one instance the claim for redress is accompanied by a bold denunciation of the government; while, in the other, it is connected with, nay founded on a declared confidence in it.

THE APPEAL,
Of the People of Tombigbee to the People of the United States.

A people inconsiderable in number and in wealth, detached from every other portion of the American population, known only by the rumors of our wrongs, in the council of the nation; we cannot command your attention by the weight of political influence, but we are entitled to it, on the broad basis of justice and the general good.—When duties on American produce were demanded by Spain on the Mississippi, the whole continent was in a flame—not merely on account of the injury done to the people of the western country, but because it inflicted a mortal wound on the dignity and honor of the nation. That wound is as great when inflicted on us, as when inflicted on our fellow citizens of the Ohio.—Though not equal in numbers and political importance, we are in proportion to our population, infinitely more injured by it. Situated on tide waters, nature has not taught us, as she has taught our brethren in Kentucky, to cultivate habits of independence of other countries. Our existence depends upon commerce. Our products are valuable; but they are of no use at home:—we must exchange them for other articles which are absolutely necessary for our subsistence. If we continue to be deprived of this advantage, we must abandon our country. The measure will be afflictive to us;—to many of us it may be ruinous: but its consequences will not be confined to ourselves: they will have a wide spreading influence on the weal of the American republic. A country which under better auspices may become flourishing and populous, will be converted into a wide waste, and from the frontiers of Georgia to the waters of the Mississippi no check will be left to the influence of foreign powers on the numerous tribes of Indians that inhabit that extensive territory. We have sworn allegiance to the American government and we expect protection. We ask the free navigation of the Mobile river not as a favour, but as a right. We appeal to the law of nations, to a law, which, at all times independent of the arbitrary encroachments of the powerful, and the mean submissions of the weak, stands firm and unchanged on the immutable basis of justice. The common sense of men revolts at the idea, that when nature created rivers watering extensive territories, she meant to confine the benefits of them to those who should possess the country where they discharge themselves into the ocean. They were intended for the common good——and those who possess their mouths can have no more right to bar the use of them, than those who possess their sources can have a right to divert their currents into other channels. If this doctrine be abandoned, no other can be substituted in its place which is founded on the principles of justice. Power may trample on this, as it has done on all other rights, and weakness may sink under the usurpation: but no successful exercise of lawless power can contravene the unalterable rules of rectitude.—The waters of the Mobile pass through the territory of the United States from north to south for a space of at least 400 miles.—Shall Spain, who holds not 40 miles on its banks, say that this river was created for her alone?

Were we, through a diffident distrust of our own conceptions of natural justice, solicitous to fortify our cause with the opinions of others, we could easily quote