tions and other articles of commerce, and it has become extremely doubtful, whether the reasoning of modern politicians in regard to them is correct; particularly when it is considered that nations on the eve of war always provide themselves with sufficient munitions for carrying it on. But even those who agree in the principle of confiscating contraband articles find it difficult to regulate its extent. At one time it is so restricted as to exclude from the list even naval stores and saltpetre; at another it is carried to a ridiculous extent. Spain at one time undertook to define the list of contraband, and declared that Tobacco should be included. This became a ground of offence to England; and Bynkershoek, who mentions the fact on the authority of Zouch says, that the English on this occasion granted letters of reprisal against the Spaniards. The grave Dutchman then condescends to be jocose, and observes "whether this controversy about tobacco ended in *smoke* or not I am ignorant; this however I know that I do not agree with the Spaniards in opinion as no use was ever made of tobacco to kill an enemy."* Now when the doctrine of contraband may be carried to such dangerous and even ludicrous lengths, does it not appear proper to abandon it altogether?

But recurring to the same authority to which I have already referred, we shall find what Great Britain herself understood to be the right of neutrals in the year 1757. "It cannot, I think, be doubted, that according to those principles of natural equity, which constitute the law of nations, *the people of every country must always have a right to trade in general to the ports of any state*, though it may happen to be engaged in war with another, *provided it be in their own merchandize, or on their own account*, and that under this pretence, they do not attempt to screen from one party the effects of the other, and on condition also that they carry not to either of them *any implements of war*, or whatever else, according to the nature of their respective situations, or the circumstances of the case may be *necessary to them for their defence*. As clear as this point may be, it has sufficiently appeared by the facts deduced above, that amid the irregularities of war, the rules of equity in this respect were not always enough regarded; and *that many governments, in time of war, have often most licentiously disturbed*, and *sometimes prohibited totally*, the commerce of neutral nations with their enemies." Discourse on the conduct of G. Britain. Here is no mention of accustomed trade. Enemy's property & contraband goods alone are mentioned as forbidden to be carried by the neutral. If a man had written a treatise in defence of American commerce he could not have been more explicit; he could not now have taken a different ground. We claim the right of carrying our own property the products of our own industry and enterprize, to the ports of France, Spain, and Holland in our own ships, and of importing goods from the belligerent powers into our own country. This is all for which we contend. We send money to the East and provisions to the West Indies, and we receive in return their coffee and sugar which yields us a profit and of which we obtain greater quantities than are required for our own consumption. What then? Are the U. S. bound to keep on hand the whole surplus? If so, we must abandon the trade altogether for the accumulation would destroy it. No. These goods once landed become part of the stock of the nation, and she acquires the same right to export them to foreign countries, that she has to export her native productions. She has the same right to send them to Hamburg, to Holland, to France and to Spain. When this is done another profit is obtained by our merchants, who import from Spain, France, and Holland certain articles which on their arrival in the U. States are found to be beyond our wants or better suited to other markets, and are again exported. Are we to be deprived of this right too?

Here I might incidentally notice the impressment of our seamen, but as this subject has been dilated upon very fully, I shall make but a single remark. Although we have given up the doctrine that the national flag shall protect belligerent property on board of our ships, yet no man will contend that this relinquishment has gone so far as to admit the cruisers of a nation at war to take from our ships the goods, much less the persons of friends. And in a case where we find a British officer uniting in himself the characters of party, accuser and judge, I do think the national feelings ought to be called forth. Having thus, as I think, succinctly stated the right to carry our own property in our own ships, I hope I shall be indulged in making a few remarks on the advantage to the nation of that species of trade most affected by the principle assumed by the British government.

A distinction has been attempted to be drawn between the agricultural and commercial interests of the community. But it has been conceded, that if by this trade the national wealth has been increased, it is as much entitled to protection as the profit which springs from the productions of the soil. If it were possible to confine our commerce to the exportation of the surplus of our agricultural products, and to the introduction of those foreign articles of which we are in want, there is no man but would agree that it would be advantageous to carry on this trade by our own merchants and in our own ships, as both the freight and the profit would be saved to the national stock. For instance cotton, on which the average profit may be stated on every pound exported at not less than two and a half cents, and the freight at three cents. If therefore the carriage of this article is made in our own ships, we save on every pound of cotton exported five and a half cents, which if transported by foreign merchants in foreign vessels, would go into the pockets of foreigners. The same thing may be said with regard to the importation of foreign commodities from foreign countries. There can therefore be no difference of opinion respecting the advantages of this which may be called the direct carrying trade.

We now come to the second branch of the carrying trade which has been so much reprobated; this consists in importing foreign products, and re-exporting the surplus of those products beyond our own consumption. This may be called the circuitous branch of it. Independent of the profit of this trade to the merchant, there are other advantages arising from it to the consumer. Where there is a fair competition in the market, an importation of any article much beyond the wants of the people, naturally tends to reduce the price, even although it should be intended to export the excess. For if the importer can get a reasonable profit, he will prefer selling at home, to encountering the perils of the sea and the uncertainties of a foreign market. A surplus of imported productions, therefore, is a circumstance which naturally brings them down to their minimum value—This is the first advantage, and is sensibly felt by the planter. The second arises from the peculiarity of our own situation. Most of the manufactures which we want are imported from England—The proceeds of our exports to other countries of Europe are ordered to Great Britain, and there constitute a fund from which the importing merchant pays debts due there. In proportion to the accumulation of this fund, the price of exchange falls, and the merchant is enabled to import more with the same capital; the quantity imported will exceed the demand here, and those manufactures will again be kept at their minimum value. These are the advantages to the consumer, and are but slightly connected with the mercantile profit on the trade. But there is an advantage independent of mere profit, which I have hinted at, but which has not been noticed in this debate—I mean the freight. From a statement on your table it appears, that in the foreign trade, six hundred and seventy thousand tons of American shipping are annually employed. The price of freight in time of peace from Great Britain to America, might be estimated at 2*l* sterling per ton. Taking this as an average rate, if we reckon it at as much out, and calculate upon two voyages a year, this would be 8*l* sterling per ton; but supposing only half the shipping to be employed, and reckoning at this old peace average, the amount of freight would be upwards of eleven millions of dollars—seamen's wages may perhaps be not inaccurately estimated at about three millions of dollars; deducting which it will be found on this moderate calculation, that there is an annual benefit drawn from this freight-trade of eight millions of dollars. I ask then if this trade is not worth protecting? I might further show the advantage of this trade to the agricultural interest, by stating that the increase of capital from the profits of it, enables the merchant to give a higher price for the productions of the planter and farmer.

The next question is whether the course contemplated by the resolution will be adequate to procure a redress of the injuries of which we complain. In every discussion of this kind the first consideration is whether the measure which we are about to adopt will be the most distressing to ourselves or to our adversary, and the second whether it will be such as to induce the power injuring us to desist from her aggressions. I gave my reasons on a former occasion for believing that a total prohibition of British goods will not answer our purpose; I believe however the measure now proposed, will. By the report of the secretary of the treasury it appears that in the trade between this country and Great Britain there is a balance in her favor of twelve millions of dollars per annum. There are some considerations which induce me to think this estimate over-rated. All goods paying advalorem duties imported from the East Indies are estimated at the custom house by adding 20 per cent. to their original cost, and those imported from Europe by adding 10 per cent. on the invoice price; deducting this advance from the amount of goods paying duties advalorem imported from British dominions and the sum will be diminished two or three millions. The true balance of a trade carried on in our own ships is best shewn by the difference between the amount of goods imported at the cost at the places from which they are brought and the amount of products exported at the places to which they are carried. And the freight always constituting a part of the price, a trade may be advantageous to a nation merely by saving the carriage. But the profit ought at least to be taken into view. I may be incorrect, but I believe not much, in supposing the profit on cotton exported to Great Britain to be two cents a pound, it would amount upon an average of three years to half a million of dollars per annum. This ought also to be deducted from the balance as reported by the secretary. In this way the relative difference between the amount of exports and imports to and from the British dominions is materially diminished, and after this calculation I believe it will be found that this difference does not exceed ten millions of dollars. This excess of imports over exports must be made up from our trade to other countries. From our trade to Holland, France, Spain, and so on. Nor is this source inadequate. Taking only two articles of our export to those countries, I mean cotton and coffee, of the first of which France takes about one fourth of all which we ship, and making the same deductions which I have before stated on goods imported and paying duties ad valorem, and without calculating the profit on other articles, I think I may be warranted in stating the whole amount of all our exports to all parts of the world, estimated upon the secretary's report for three years at an average of seventy two millions of dollars per annum, and our imports at seventy millions, leaving a balance to the United States of about two millions of dollars. This sum added to what I have said arises from our freight, namely, eight millions of dollars, produces a clear sum of ten millions of dollars as the annual average profit to the nation on our trade with the whole world. This is the fruit of thirteen years neutrality, and it is this sum which accumulating in the hands of our merchants has formed that capital which enables them to carry the commerce of the world and effectually contradicts the charge of covering property.

If I am right in stating the balance of trade between us and Great Britain at ten millions of dollars in her favor, every step which we may take tending to reduce this balance, will so far operate to her injury. This may be done by adopting the course recommended in the resolution before us. In doing this it behoves us to single out such articles as we can do without or which we can procure from other countries. This will affect Great Britain without materially injuring ourselves. The prohibition in the resolution is confined to articles which may be got from the continent of Europe, or manufactured at home. In this way we may diminish the balance against us in our British trade, and if we could so far reduce it, it would be an annual loss to that nation of ten millions of dollars, while it would injure us but little. It will therefore be her interest to prevent the effects of this measure by desisting from her aggressions, and by adopting a system founded in justice and mutual advantage to the neutral and to the belligerent.

But while I am in favor of this resolution, I wish it had been accompanied by some measures connected with a permanent system of navigation laws, such as I had the honor of introducing. It is said, however, that your navigation is so far protected that foreign shipping is almost banished from your ports. This is true; but this effect does not flow from our commercial regulations. It arises from the circumstances of the times, from the war between the great maritime nations of Europe. Their ships must be armed, they must have more men, provisions with them are dearer than with us, they cannot sail as cheap as we can, and to this inability must be added the difference in the rate of insurance. These are the causes of the decrease of foreign tonnage in our trade. Another consideration shews that this effect does not proceed from our commercial regulations. G. Britain lays higher discriminating duties on goods imported into the United Kingdom, in American ships, than the difference paid in duties on goods brought to the U. S. in foreign and American vessels. On some articles it amounts to one third of the duty. Add to this that our vessels are charged port duties, light money and other duties much beyond those which are paid by her ships in our ports. Combining all these circumstances together, it will be found that American vessels, in the trade carried on to G. Britain, sail under greater disadvantages from commercial arrangements, and are exposed to greater burthens in her ports than British vessels are in ours. The same observations apply in a great degree to our intercourse with the other belligerent powers. Besides we are prohibited from trading to the British colonies in our own ships. We are not permitted to go there unless by proclamations of their governors, dictated sometimes by necessity, and often by caprice. By the English navigation act, we cannot carry any thing but articles of the growth or product of our own country, while we permit every thing to be brought from G. Britain. I should suppose it would be right to meet her regulations by adopting reciprocal ones, and to prohibit any articles being brought by her vessels into the U. S. which are not the growth produce or manufacture of the British dominions. I hope a provision of this nature will at some future day make a part of our permanent navigation system. I have declared myself in favor of the resolution on your table. Yet, however inconsistent it may appear to some gentlemen, I must be indulged in expressing a hope that the final question will be delayed for a few days. It has been already said that a great length of time (nearly four months) has elapsed since we have heard from our minister at the court of G. Britain, and from the importance of the events which are passing on the great theatre of Europe, it is probable they will have no inconsiderable effect on her measures towards us. Our minister is now engaged in a negociation, the result of which I should wish to know, before we act on this resolution. I therefore hope, that after we have made a little farther progress in this discussion, the committee will rise, and take some future time to deliberate on the subject.

Mr. EPPES hoped the committee would not rise. The subject had been long before the committee, and they were perfectly ripe for a decision—the subject pressed for a decision. After a vote on the resolution, a bill must be brought in, on every item of which a discussion may take place, and then it will still remain to be discussed in the other branch. As to any change of affairs in Europe, they ought to have no influence upon our affairs in this decision. I wish that Great Britain knew at this moment the step which the nation is about to take, that she might learn that when our rights are invaded, we will not hesitate to take measures for obtaining redress.

Mr. SMILIE likewise opposed the motion. He asked whether it became them to wait for a state of affairs more favorable to Britain than the present, and whether the U. S. would then be enabled to meet her on better ground. Supposing even there was a probability of a favorable treaty being formed—it ought to have no influence on their decision, for it was known that as soon as a treaty was ratified, it became the law of the land, and repealed all interfering laws. One thing, however, was important, that even supposing a treaty to be formed, Great Britain should see we were determined not to to be trampled on, but to resist her aggressions.

The motion for the committee to rise having been rejected, the question was taken on the resolution originally proposed by *Mr. Nicholson*, when the committee rose, and the House concurred in its adoption——Yeas 87—Nays 35.

TUESDAY, MARCH 26.

The bill to prohibit the importation of certain British goods, wares and merchandise, was read the third time.

The yeas and nays were called on its passage.

Mr. J. RANDOLPH. I was about myself to ask for the yeas and nays; but before they are taken on the bill, I wish some of its framers, if indeed it has any within these walls, would step forward and inform us what evidence is to be offered to a jury to decide whether a given yard of broad cloth has been manufactured in Britain or Ireland. We have heard a great deal about efficiency and dignity; but never in the course of my life have I witnessed such a scene of indignity and inefficiency as this measure holds forth to the world. What is it? A milk and water bill, a dose of chicken broth to be taken nine months hence. Good God! is it possible that gentlemen believe it will be incompetent, for Congress at the next session to cook up such a dish as this; for I hope Congress will meet before or about the 15th of November, and that an adjournment will not be made to the beginning of December. Is there such a difference of time between these periods as to justify a resort to these measures now? It is the merest *brutum fulmen* I ever heard of—it is too contemptible to be the object of consideration, or to excite the feelings of the pettiest state in Europe. If we wish to throw the disgrace off our sholders, let us throw this bill off our tables. This is the strong measure!—this is the imposing attitude we have taken! You cannot do without the next spring and fall importations—and you tell your adversary so. You multiply custom-house oaths, and give a bounty to perjury. Except in respect to custom-house oaths, there is not a provision in the bill worth a farthing. Is it possible for a deliberative body thus to trifle with the nation? With powers with which they have been invested for the wisest purposes; and to hold out a temptation to the violation of laws—for it is impossible to pass a law more teeming with mischief—a law which, while it opens a door to perjury, cannot be executed, and than the execution of which nothing is farther from the minds of its framers. It is indeed inefficiency itself, it can never be executed. I have heard much said in the lobby since I came into the House, of giving up our own opinions in deference to those of others. Let those who make this declaration give up their opinions. But in my opinion the times call for a far different thing from unanimity. They may indeed call for union, but the measures proposed ought to be wise and efficient—they call for principle—for independence.—For gentlemen in this House voting in correspondence to the opinions they avow out of doors, and not for their being whipt in by the underlings of government—for assuming a manly attitude—for a far different procedure from the bill on your table. Will gentlemen allow nothing to a change of circumstances in Europe. We have received a recent communication from that quarter. Will they pay no attention to its contents? Will they, instead of this, go on in their political go-cart, in one incessant round, without attending to time or circumstances? And now I am speaking on this subject, I must request those communications be read.

Mr. Speaker said they were confidential.

Mr. J. RANDOLPH. I hope they will be read whether they are confidential or not.

Mr. Speaker. They are not in possession of the House.

Mr. J. RANDOLPH. I hope they will be sent for, and that they will be read.

The Speaker repeated that they were not before the House.

(Debate to be continued.)

New-York, May 2.

Mr. James Bruce, passenger in the schooner Charlotte Augusta, arrived here yesterday in 9 days from Halifax, informs us it was reported there, that commodore Beresford had arrested captain Whitby, of the Leander, for his outrageous conduct off Sandy Hook. It was understood that commodore Beresford was going to take the command of the Leander himself—Captain Whitby's conduct was very much reprobated at Hallifax. It was believed he would be sent to England for trial, and that the vessels sent to Halifax by the Leander would be immediately released.

Letters to the 1st inst. have been received in this city from Trinidad, stating that the British ship Jason, and sloop of war Lilly, had sailed from thence to Barcelona, for the purpose of joining gen. Miranda, where it was understood he had arrived.

Captain Burrough, who arrived at Philadelphia on Wednesday, in 40 days from Hamburg, informs that the Prussians at the time of her departure, were erecting strong batteries at Cuxhaven, which they had garrisoned with a formidable force. They did not, however, interfere in the civil affairs of that place, but permitted them to remain under the direction of the governor appointed by the Senate. Denmark, it was supposed, would be compelled to shut the Eyder against the English, which will probably occasion that river to be blockaded.

Extract of a letter from captain Bowman, of the United States' army, dated Natchitoches, March 18th.

"An officer came in on the evening of the 14th inst. with dispatches from the governor general of Saint Antoine—he was halted at our picket, and not permitted to enter the fort or town; and early next morning he received his answer and set out immediately. The same day at 3 o'clock, captain Johnson marched with lieut. Smith, ensign Hatchet, and sixty-five men, towards the Sabine; this movement was determined on in consequence of information which cannot be doubted, that the Spaniards had reinforced at Nacogdoches to upwards of 400 cavalry, and were marching to resume the positions they were so lately removed from by our troops. We have not heard of their meeting yet, but calculate that they will this day, and it appears that an engagement is unavoidable; they are greatly superior in numbers, therefore it would be premature to risque an opinion as to the result—Some Americans have been these two days trying to bring about a meeting to volunteer their services for immediate defence, and they will be furnished with arms from the public magazine."

LONDON, APRIL 8.

Reports states, that the hon. David Erskine, son of Lord Erskine, and member for Portsmouth, is shortly to proceed in a special diplomatic character, to America, to arrange the differences subsisting between us and the United States.

MADRID, MARCH 6.

The American Minister, Mr. Erving, left this place last week unexpectedly for London; he did not take leave of the diplomatic body—political reasons were at first assigned for this circumstance, but it was afterwards said, that the death of his father was the cause of his departure.

FROM THE REPUBLICAN.

Petersburg, May 22.

Mr. PESCUD,

Your inserting the subjoined list of victims to British atrocity, in your very useful paper, will be doing justice to injured innocence, and afford some consolation to the friends of the unfortunate men, on whom the British lyon has laid his paws.

On Sunday the 11th inst. as the ship Eliza, captain Petry, from Londonderry came into the capes of Virginia, she was brought to by the British frigate Cleopatra, captain White, who dragged with inhuman insolence from on board said ship, sixteen of her passengers, and still retains them on board, and at anchor in Hampton Roads, in open violation of the laws of nature and of nations. In vain did the unfortunate victims quit that land in which they first drew their breath; in vain did their hearts beat with joy, on first viewing the sacred land of liberty, forgetting their galling chains and tyrannical task masters. But, alas! it was only a momentary, a visionary idea; their fond hopes were soon blasted—they were dragged amidst the lamentations of their wives and children, into the most dreadful slavery. Cruel monsters! 'Is there not some chosen curse, some hidden thunder, in the stores of heaven, red with uncommon wrath,' to blot this land of tyrants from the map of the world?

Samuel Sample, Donegal.
William Findly, Astra, county of Tyrone.
William Stuart, do. do.
Hugh M'Coken, Donegal.
Thomas Ballentine, Astra, county of Tyrone.
William Teiny, Derry.
Hugh Quig, do.
Anthony Griffin, Donegal.
Andrew Johnston, do.
James Miller, Stewart's Town.
William Gilchrist, Derry.
Samuel Patrick, Tyrone.
Alexander M'Connel, Donegal.

A FRIEND TO LIBERTY.

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* "*De Tabaco magnis animis inter Hispanos et Anglos quaesitum esse refert Zouchaeus* (Part. 2. *de jure fec.* Sec. 8. Q. 12.) *et ab Hispanis judicatum inter res vetitas esse, adeo propterea indignantibus Anglis, ut etiam contra Hispanos repraesalias concesserint. Sed an ea controversia de tabaco tandem in fumum abierit, nescio; hoc scio, me Hispanis non convenire, quia verum est tabaci nullum usum esse ad necandum hostem.*" Bynkershoek, *Quaest. Juris publice*, Lib. I. Cap. X.