that France practices. They proceed to sign the treaty in the persuasion that before its return from America the enemy will have *formally* relinquished his pretensions, or that the United States "by its *conduct or assurances will have given security to his majesty* that it will not submit:" and they add, that the note is presented to let us know that without such abandonment, (a *formal* one too) or *such assurances or conduct* on our part, the treaty shall not be binding, or G. Britain restrained "from adopting such measures as (to her) may seem neccessary for counteracting the designs of the enemy." Upon a former occasion I dwelt upon this subject, and it would be inadmissible to reconsider it at length; but I acknowledge that it would fill me with shame and and anguish, if this nation could stoop to the degration of sanctioning such an outrage upon *its honor and its rights*, by accepting a treaty to which it was affixed. They *confide in our good sense—our spirit and regard to honor—are persuaded we cannot and will not submit*—and require that we by our *conduct and assurances will have given security to his majesty* that we will not. If however, regardless of our *national honor*, &c. we do submit and will *not give security*, they will *treat us as we allow France to threaten* or treat us; away with the treaty and the rider too.

Our ministers had the meekness to inform Mr. Canning, page 221, that he ought to be satisfied with our conduct; for that the French ministers had assured ours that the decree should not infringe our treaty or our rights, and that we had witnessed a practice conformable to the assurance. This was on the 18th October, 1807, almost one year after the Berlin decree. Well, sir, on the 22d of October, Mr. Canning wrote his answer, in which, although he does not deny that the decree had not been enforced, he informs our ministers that he is not satisfied that the American government *has taken such effectual steps as to do away the reservation* contained in the note accompanying the treaty. He, as was to be expected, rejected the *humble security* we had to offer—nothing but unqualified war at the direction of Great Britain would satisfy him. If war be proper, do let us consult our people in making it.

The gentleman from Delaware complained that this treaty was returned without being submitted by the President to the Senate. Who is responsible for the formation of treaties, and for them when formed? The President; and is it reasonable that he should incur such responsibility, where the treaty not only was disapproved of by him, but was made *in express violation of his instructions?* Should he deliberate on accepting the treaty with its insulting supplement? I have examined, and I trust with candor, the treaties of 1794 & 1806, and shewn that neither would comport with the just claims of the U.S.

The gentleman asks, has not an error been committed in relation to them? I answer no; and further, I will say, that neither would have prevented the wrongs we endure; the first (*unexpired*) article in the treaty of 1794, promises a *firm and inviolable peace, and true and sincere friendship*: repeated acts of war have been committed upon us, and *sincere friendship* has been substituted for the blackest perfidy. France is accused of violating her treaty, as if it were more criminal to do so, than to break the moral laws of nations. France has violated both, and so has G. Britain. The only difference consists in this, that G. B. has done so much more frequently, and more injuriously, than France has.

The gentlemen ask, (Messrs. Van Dyke and Key) will we go to war for British seamen? I put it to them as liberal men—is it not unfair to ask the question? They know well what has been offered on that score—I have made a summary of the offers to-day: it is certainly attempting a very unfair diversion of the public mind to suggest such an inquiry. Other gentlemen (Mr. Dana, &c.) ask will we go to war for the right of free ships to make free goods? This is equally uncandid; for it must be known, that however desirable to us, we never have asserted the principle so as to make its recognition an indispensible condition.*

*Mr. Jackson intended to remark on this point, that our expectation that they would accede to it was the more reasonable, inasmuch as Great Britain not only in the century preceding the last, but in all the great treaties of peace down to the treaty of Amians had recognised it: that is to say of Utrecht in 1712; of Aix la Chapelle 1748; of Paris 1763; of ditto 1783; and in the French treaty of 1786. She wished also to do the same at Amiens, but the usual article including it, was refused by France on some collateral condition. See "The examination of the British doctrine." His note however on this subject was mislaid by him while speaking.

Will you go to war (the gentlemen ask) for the right of search. Sir, both are given up in admitting *search for enemies property*; and the latter particularly in the project of a treaty sent to Mr. Monroe by Mr. Madison. See No. 2, p. 7.—Article 3. relates to the right of search, and proposes to regulate the practice.—Article 11 allows the taking of enemies; and No. 3, p. 7, gives up the point of free ships make free goods. The right of search necessarily results from acknowledged principles in the laws of nations. The question of contraband implies it; going to blockaded ports, and seizing persons in the military service of an enemy on board imply it also.

The gentleman asserts all our embarrassments arise from refusing to be searched for British seamen. I ask him as a man of honor, pledged not to harbor the servants or secrete the property of his neighbor in his house, whether he would submit to have it searched by day or night; and without suspicion (for being bound by honor and by compact it would be insulting him to suspect him) or without authority permit the neighbor wantonly to enter into his rooms, open all his trunks, desks, &c. to satisfy himself that no fraud had been committed, knowing too, that being in want of his purse, and having power to do so, he would carry it off. I can answer for him that he would not.

The same gentleman asserts that if we go to war, it will be for the subject of impressments. There can be no doubt that we ought to make war rather than submit on this point; but it is not now the question of immediate collision: it is merged in the murders of the Chesapeake, and they are merged in the orders of council—in the avowed attempt to *tax us*. What are the causes of complaint?—Impressments—spoliations—the case of the Cambrian—the murder of Pierce—the Chesapeake—blockades—colonial trade—orders of June, January, November, and every other month in the calender; each one has given rise to some outrage. Invitations to our citizens to violate our laws, and go to sea without papers, thereby inviting to piracy in its true definition, and taxing us; demanding *tribute*. Are not these sufficient causes of war? God knows if we want justification in the eyes of all men for going to war, it is to be found abundantly in them. The single case of Pierce was held sufficient; his murdered body was carried through N. York by the exasperated citizens; the federalists were vieing with the republicans in expressions of indignation; Mr. King was at their head, and he is still a favorite, as the votes recently given by them for President and Vice President will shew. All our difficulties it is said would have been avoided if the treaty of 1806 had been accepted: this treaty was to cure the *king's evil* or the evils of the king; it was to avert all our difficulties, although many of them *preceded* it and were unatoned for thereby. No sir, all of them were omitted or sanctioned by the treaty and its rider. We can't get the subject resumed, says the gentleman, and it is evident, that it was the best bargain attainable. To my mind it is proof of hostility the most deadly; and as for the bargain it never could be worse. Well sir, what shall we do? What it is asked will be the object of war? I answer *resistance*. I will resist while there is one man living to aid me; it will be more honorable to die in the contest than to crouch beneath the lash that penetrates to our vitals: we shall thereby avoid a lingering death, for death is inevitable, if we submit.

The gentleman (Mr. Key) asks if we mean to fight France, to coerce a respect for her treaty, to compel G. Britain to make one? On this score there is no difference; both have violated their treaties with us and trampled upon our rights. If we fight them it will be to resist their attacks upon us.

I am not for dividing and subdividing the injuries done us, throwing the guantlet and fighting for the case of the Chesapeake to day, and after the battle is over, challenging them anew and fighting about the orders of council to-morrow. I prefer throwing all the injuries into one account; and fighting to resist and redress them in the lump.

With great exultation it is asked, what will be the effect of war upon G. Britain? What profit will result to us? A nation like us will never make war for the *profits* of it: we profit more from peace—not so with G. Britain—her foreign wars are highly beneficial to the government—they keep the people united, their minds engaged, and inattentive to the crying corruption of their ministry.

When we go to war, no mercenary calculation of dollars and cents will weigh down the scale; it will be a question of country—of liberty—and independence. Bur, sir, we can injure G. Britain; and also remove a cause from which much evil is to be apprehended. We can take Canada, and thereby put down the hostile spirit of the Indians—to whom the war belt has been sent from Canada some time since, with an invitation to them to take up the tomahawk against us, in the event of a war with G. Britain. We should be able to subdue the war spirit which so much predominates in savage man: this would be doing much for their happiness, and the future peace of our country. Beside this, we should harrass their commerce by our privateers, whose profits would excite a sufficient spirit of adventure to go upon the ocean in search of prey: and above all, we should avoid a pusillanimous, dishonorable, and degrading submission. This, in my opinion, will be gaining much. War has been painted in glowing colors: it is a great calamity to any nation: it is the greatest calamity that ever infatuated man devised to scourge the world. But great as it is, to us submission would be greater. The gentleman from Maryland deprecates the consequences of trusting an army of 50,000 in the hands of any man, lest such an one as Burr, seated at the helm, should crimson the presidential chair, and deluge the country in blood. How, and of what materials would this army be composed? Of men, sir, fighting for their families, their altars, and their fire-sides; for the liberty consecrated by the blood of their fathers. It would contain some of the best blood in this nation: and you might as well suppose that they would tear up the foundations of the earth, as become mercenaries. Sir, even at the hearing of the din of war as it rumbles across the horizon, you already find them entering your service. There are many men who would not accept the command of your forces on a peace establishment, that would draw their swords, and put on the habiliments of war in subordinate stations, in the hour of danger. Look over the list of your military officers, and ask yourselves whether the colonels, majors, captains, and subordinate officers you find there, would prostitute the liberties of their country, and cut asunder every tender ligament that binds them to it, to serve the designs of any ambitious, designing man?—It is impossible. There are men on that list of the most unquestionable patriotism, public and private virtue; and in talents, inferior to none on this floor. Such men cannot be led into, or excited to partake of, the scheme. We are not *yet* in such a state of degradation and meanness, too often produced by *love of money*, as to submit to the ambitious projects of a Bonaparte, who could wield the nation in his right arm, and smite its liberties with his left. All these [illegible] consequences, however, in their fullest extent, are predicted, as if we were unworthy of trusting ourselves. Instances have been given [illegible] of a daring leader's usurping the government.—They do not apply here; the purse and the [illegible] by Congress; we hold the purse strings, the sinews of war; and we thereby have in sufficient check any ambitious projector. The gentleman from Maryland complains of an usurpation already, and argues from it that worse is to follow! and pray hear his charge: "The secretary at war, in communicating the orders of the President to call out the 100,000 militia, requests the governors to be careful in selecting *fit and proper persons*." Risum teneatis. Why, in truth, it is a high misdemeanor, and no doubt will be duly considered upon the trial of that gentleman before the Senate, where it appears he has been *impeached*. The gentleman from Delaware warns us to avoid war; for in the midst of arms the still voice of reason is not heard. We have reasoned long enough; every thing that appertains to the reasoning faculties of man has been tried—we have the better of the argument, as our enemies admit; and we do not propose to go to war for the purpose of old fashioned reasoning. Force is the only expedient that can produce reason with such nations as we have to deal with. I am for no more "supplemental broadsides."—There is more energy and weight in the diplomatic correspondence, through the mouths of our cannon. The gentleman from Delaware asks, will the nation give its blood to blot out the errors of the administration? Sir, the people of this country have too much good sense to believe that errors exist, when it is not in the power of ingenious and able opponents to point them out—I defy them to do it. There is no point upon which I, humble as my talents may be, would be afraid to meet them before the nation. The gentleman begs the question, we are not disposed to hide errors or palliate them. If they exist, we shall be happy to discover them; and I assure gentlemen, that wheresoever they may be found, we will endeavor to apply the proper and constitutional corrective. The gentleman warns us to "put the enemy in the wrong." Who, I pray you, are in the wrong, ourselves or the enemy? They have put themselves in the wrong. What, sir, does the gentleman mean to defend the murders of Pierce and the Chesapeake, the orders ——? [Mr. Van Dyke explained; he had not intended to convey the idea that Great Britain was justified, but merely that we should put her in the wrong upon every point. Mr. Jackson proceeded.] I accept the gentleman's explanation with great pleasure. Sir, we have put the enemy in the wrong on all points. The gentleman from Maryland says, that we will fight for our altars and our fire-sides—besides them, all is calculation. I differ with him. The murders at sea, of Pierce and of the Chesapeake—the invasion of our maritime jurisdiction—the impressment of seamen, and subjecting our exports to pay tribute—are not questions of calculation; they are questions of sovereignty and of independence, and existence itself—we must fight, rather than submit to them. We, by our constitution, are prohibited from taxing exports; Great Britain asserts the right, and has taxed them; and I would resist that alone, at all hazards. The two gentlemen say Great Britain will not relinquish impressments, as by them alone she supports her navy, and it is a vital principle to her. And we are to submit, forsooth, because it keeps up her omnipotence at sea, to a measure that grinds this nation to powder, and stabs us to the vitals? The gentleman asks, will we not submit to cutting off a member to save the body—I answer no; I will not submit to the amputation by Great Britain. I will not sacrifice all the members to preserve a lifeless political trunk. If the legs, arms, ears and nose are cut off, and the head too, I am incapable of perceiving the use or value of the body; and submission to Great Britain will be a sacrifice of all these. I have read of a great general, I believe it was Cæsar, who directed his soldiers to aim their weapons at the faces of the enemy's army, because, being handsome men, and more attached to their beauty than their country, they would surrender rather than lose it. But, by the gentleman's system, the body is the only desirable place, dont touch that, and the members, eyes, head and all, may be quietly destroyed.

[*Speech to be concluded in our next.*]

---

NOTICE.

WAS committed to the jail of Frederic county, Maryland, on the 15th day of February last, a negro man, who calls himself *Phil Blake*—he is about 5 feet 6 inches high, stout made—he appears to be about 23 or 24 years of age—he has a small scar near his left eye, occasioned, as he says, by a stroke from his master—his back denotes him to have been severely whipped in his time—his clothing when committed, were as follows: a drab colored great coat, a dark brown round-about, a swansdown waistcoat, old pantaloons, shoes and stockings, all much worn, a good wool hat, and wears his hair platted over his forehead—he says he belongs to Dr. Wm. P. Matthews, on Elk Ridge, within 5 miles of Elk Ridge landing. The owner is hereby requested to come and release him, otherwise he will be sold for his prison fees according to law.

GEORGE CREAGER, Sh. Fr. Cy.

March 20—w8t

☞ The Editor of the National Intelligencer, Washington City; Evening Post, at Baltimore; and Republican Star, at Easton, are requested to insert the above once a week for eight weeks each.

---

*Bank of Columbia, March* 16, 1809.

The Board of Directors having this day declared a dividend for the half year ending the 20th inst. at the rate of Eight per Cent. per annum. The same will be paid to the Stockholders or their representatives on or after Monday 20th inst.

WILLIAM WHANN, Cashier.

March 20—3w

---

*District of Columbia, Washington county, to wit.*

I HEREBY certify that *Joseph Estep* of said county, brought before me, as a Stray, trespassing on his premises, a BAY GELDING, 9 or 10 years old, bob tail, which with the maine is black, a faint star on the forehead with a small snip on the nose; no white else; no mark or brand discoverable—said Gelding has been worked in geers.

Given under hand of me a justice of the peace for said county, this 17th day of March, 1809.

CHARLES MINIFIE.

March 30—3t

---

*PUBLIC SALE.*

THE DWELLING HOUSE and half the WORK SHOP, now in the occupancy of JAMES DUDDELL, being on a piece of ground immediately opposite to the Marine Barracks, on Eighth street, and adjoining the property of Mr. James P. Tuckfield, subject to a ground rent of seventy-five cents per front foot only, will be offered at public sale on Saturday the 25th inst. at 11 o'clock, on the premises. Terms of sale made known on that day.

S. SPEAKE, Auc.

March 20—3t.

---

# WASHINGTON CITY.

*MONDAY, MARCH 20.*

From the dispatches brought by the Union, it is distinctly ascertained, we understand, that the British Orders in Council will be extended to our trade with Russia and Denmark precisely as to our trade with France.

Dispatches have been received by our government from Paris to the 27th of December, the contents of which do not, we understand, indicate any change in the conduct of the French government towards us.

It is said, that the French and Russian Couriers, charged with the proposition of peace to the court of London, arrived at Paris on the 14th of December, with a peremptory rejection of the terms offered as its basis.

From the information we have been able to collect, it seems manifest that there is no disposition in the French cabinet, under existing circumstances, to relax its decrees againt neutral commerce. We would, indeed, rather infer that it is actuated by kindred feelings with the British government, which would seem from the preceding information, to be heightening, instead of mitigating, the rigor of her orders.

The Paris Papers, which we have received down to the 27th of December, do not add much to our former stock of intelligence, excepting the revolutions in Algiers and Constantinople, an account of which is subjoined. The bulletins of the army of Spain are given to the 19th inclusive, which shall be given in our next. The 17th is dated Madrid, Dec. 10th; and states that "On the 6th inst. the duke of Istria set off from Guadalaxara. He caused the whole road to be beaten, from Saragossa as far as Valencia and took 500 prisoners as well as a great deal of baggage. At Bastan, a battalion of 500 men was surrounded by our cavalry and cut in pieces.

"The army of the enemy having been beaten at Tudela and Catalayud, and abandoned by its generals, as well as part of its other officers and a great number of soldiers, was reduced to 6000 men.

"On the 8th, at 12 o'clock at night, the duke of Istria gave orders to gen. Montbrun to attack a corps which protected the flight of the enemy's army. That corps was closely pursued and we took 1000 prisoners. It was attempting to reach Andalusia by the way of Madridego, and it appears that it was forced to disperse in the mountains of Cuenca."

An account is then given of the continued operations of the siege of Rosas. Then follow several intercepted letters from officers in the Spanish army, pourtraying in terms of anguish its defeat and ruin, and the dreadful consternation spread through the country. Castanos's army is said to be reduced from 60,000 to 10,000.

The 18th bulletin is dated Madrid, Dec. 11th, and contains nothing of consequence.

The 19th bulletin bears date Madrid, the 13th of December. The Emperor Napoleon was at that time residing in the country, at the distance of half a league from Madrid, enjoying the fine weather, which seemed like spring. No account is given of the situation of the English forces, or of any important engagements with the Spaniards. The most material military event is the surrender of Rosas to the French on the 6th of December, by which 2,000 prisoners were made. The capitulation stipulates that they shall be prisoners of war, and be sent to France. Madrid is represented as perfectly tranquil.

There had been two municipal meetings of the Burghers, Clergy and Nobility; at which the Corregidor had addressed and informed them, that he had had an interview with the Emperor, who had told him, "that their fate would be happy and prosperous, if the inhabitants frankly adhered to the constitution and sincerely acknowledged Don Joseph Napoleon for their lawful king; *but, that otherwise, Spain would become a province of France.*" [It is said, that a rumor prevailed at Paris that Joseph was to be made king of Austria!]

The Deputies, in consequence, agreed "humbly to implore his imperial and royal majesty to grant that the capital might be favored with the presence of the king [Joseph] as that city as well as all Spain was to enjoy the greatest advantages from his government."

On the 11th the same petition was signed by deputations from the notables of the parishes, and all the corporations of trades in the city.

The Paris prints are full of imperial decrees issued at Madrid; one of which announces a general pardon to