is bound to make prize of her. This being the case, let us for a moment consider the subject as respects ourselves. Our feelings ought to be for ourselves and for our country. Here is a nation having public ships, having a right to come into your ports. Does it comport with our honor and dignity to admit into our ports and harbors the very vessels destroying our commerce? Not to go into an enquiry what has been the fact heretofore, but what may be now—if you pass a law that a French frigate may come into your waters and partake of your hospitalities, where is the obligation that it may not take advantage of the opportunity to make its prey more sure by watching it in port and then going out and entrapping it? If, from the intoxication of the man who rules the destinies of the nations of Europe, he does not feel disposed to treat with us on terms of reciprocity, that circumstance should have no effect on our measures. But the question on that point is no doubt already settled; time sufficient has been allowed for the vessel to go and receive an answer to the instruction sent to our minister. I certainly would so far respect myself as to fulfil what I conceive to be good faith towards both, without respect to the wish or dictation of either.

As to the amount of produce sent to the continent, it cannot be great. Some few may have adventured there on desperate voyages, but that there is much property in jeopardy I cannot believe, for France is known to be, in respect to mercantile property, the lion's den, easy of access, but impossible to return. Those therefore who have risked their property must have been extremely rash.

If the French government would do us justice, I should be glad; if not, we must abide by the consequences. We must not do improper things because they will not do us justice. It is proper that we should assert what we conceive to be our rights. I believe however that the question of peace with France will not turn on this bill. I believe the point to be already settled. If it be not, however, and the exclusion of French armed vessels would be an impediment to it, the same objection would be valid against the whole bill.

Mr. Holland asked the indulgence of the House whilst he stated a few reasons why he should vote for the amendment under consideration. It had been asked whether it was consistent with the honor of this nation to admit French ships within our waters. Mr. H. said he would answer, that, as things now stood, he did not consider it consistent with our honor & dignity [illegible], and the reason why, was that that government had done sundry injurious acts towards this nation for which it had not made reparation, nor even intimated an intention of doing so. He therefore answered that it was inconsistent to admit the vessels of France within our waters. It was in consequence of injuries which they had done, according to my conception, that I voted for their exclusion. I was not influenced to vote for the prohibition of the ships of France from coming into our waters by any desire to produce an equality in our relations with the belligerents. It was no impression of that kind that influenced my vote; and yet I voted that French ships of war should not come into our waters. It was not the opinions of editors of newspapers or the clamors of individuals that influenced my vote, and I hope they never will. I think that every gentleman on taking his seat in this House should consider himself beyond suspicion. The only question for the consideration of the members of this House, when a measure is presented to them, is the expediency of it; and on that ground alone I voted for the exclusion of French ships or of British ships. I was chiefly influenced to vote for the exclusion of British armed ships by the variety of acts committed in our waters and the great disposition which she had shown to commit the most wanton acts of treachery. I can say for myself that my conduct was only partially influenced by the acts of British officers within our waters. I had in view a variety of [illegible] committed against the rights of the people of this country [illegible] the affair of the Chesapeake to have been unauthorised. I [illegible] wish to see British ships of war [illegible] our waters till they recede from [illegible] of impressment. I wished [illegible] to know that it [illegible] the determination of the major[illegible] the citizens of the U. S. to re[illegible] rights [illegible] of the dignity [illegible] British vessels [illegible] those acts, I [illegible] that I voted to exclude them.

It is said by the gentleman last up that we [illegible] G. Britain. [illegible] that they are [illegible] rights of hospitality [illegible]. We ought yet to hold up some indication that we are not perfectly reconciled to them. When they abandon the outrageous principles which govern that nation with respect to neutrals; when they abandon the practice of impressment; when they make restitution for spoliations of our trade, we will hold the hand of fellowship to them. It is not enough for me to hear the British minister say that an envoy extraordinary is to come out and settle all differences. I have heard something like this long ago. I heard that a minister was to be sent out to make reparation for the affair of the Chesapeake. We have experience on this subject. Have we forgot that every thing which accompanied that mission was evidence that the British government was not sincere, and that it did not intend to accommodate? When I see an abandonment by by G. Britain of the principles destructive to neutrality, I can consent to admit that nation to the rights of hospitality.

If we pass this bill as it now is, the British government will see the inconsistency of it, and certainly it will not raise our reputation to a more exalted pitch than before. The true course in my opinion will be to follow up our measures and not to retrograde. Even had France conducted herself properly towards this country, the exclusion of her armed vessels was an act which every one will admit our right to do. But as we have great ground of complaint against that nation, still stronger right have we to do it. To admit the armed ships of France within our waters is at best but a nominal favor. It is impossible that the injury can be forgotten till reparation is made. When the injuries done to us are repaired, then & not till then would I open the waters of the U. S in respect to France.

Why did we vote a prohibition of our waters to British ships? Because of injuries received. Have they been repaired? No, sir; to my mind they have said nothing conclusive or satisfactory as to abandoning any ground they had taken. What would be the feelings of any American if a fleet of British vessels were to come up the Potomac immediately after the passage of this act, with the commander who perpetrated the outrage on the Chesapeake at their head? They may do so by the bill as it has come from the Senate unlimited in number and force. The British would not ask the privilege, and yet we gratuitously offer it to them. Is the privilege worth any thing to the British nation? Let us hold it up as a matter that requires certain privileges in return; for we are compelled to buy all the privileges we get from that nation. I wish therefore, if this be an advantage, not to take it out of the hands of the Executive; for we know that appeals to the magnanimity and justice of that nation will have no effect. If it be not an advantage, there can be no complaint for a refusal of it.

With respect to the ships of France, I cannot but notice the strange appearance we shall hold out to the world if this bill pass.—The interdiction of commerce with a nation and admission of her public armed ships! The public ships are the representatives of the soreignty of a nation, of the government against which we have cause of offence. But the merchants, who are the innocent subjects, we will not admit. We declare war against the subjects, whilst we take the Emperor and government into our bosom. This to me is inexplicable. To save our honor and preserve our consistency we ought not to admit French ships of war, so long as trade with France is interdicted. I think, therefore, both as respects the one or the other, we ought to maintain the same ground as heretofore. From France we have heard nothing. Instead of relaxing measures in relation to her, therefore, we ought to strengthen them. These ideas, however incorrect they may be thought, will influence my vote.

Mr. Johnson observed that to say any thing on this subject, after the time which had been already consumed and the speeches which had been made, was contrary to a rule which he had laid down for his conduct. But his excuse would be found in the introduction into the House of a proposition which it was said, proposed to place us on a neutral ground. Nothing, said Mr. Johnson, is dearer to me than neutrality as to our foreign relations; but the bill submitted to the House by the committee of which I had the honor to constitute one, and which is the same with that now before us, so far from being in hostility to Great Britain and partiality to France, I contend is a concession to Great Britain, at the same time that I admit that it is not hostility to France. The admission of the belligerent vessels into our waters, so far from being hostility to Great Britain, is concession. I bottom the remark upon the fact that at this moment as many and as heavy causes of complaint exist unsettled between this government and Great Britain as between this government and that of France. If then the same causes exist to exclude from our waters the vessels of both, I ask whether the admission of both will not be an actual benefit and concession to Great Britain, and a nominal benefit to France? And still it is to go forth to the nation that we are about to commit an act which will sink the nation from the elevated situation in which it is now placed by our former measures! I hope that we shall continue to convince the world that the United States of America are incapable of other than neutral conduct. Is it a fact that greater injuries exist from France than from Great Britain? What injuries have been received from France? Have they been committed within our waters? Has our hospitality been violated and our officers insulted in our very ports by the vessels of France? Or is her hostility merely commercial? It is of the latter description. Is it not admitted that we may lawfully exclude or admit the vessels of both belligerents? If you admit the vessels of one nation with whom you have cause of difference, and exclude those of another nation with whom you have only the same cause of difference, I ask whether you do not commit the dignity of the nation and jeopardize its peace?

I will put this question to gentlemen—what has Britain done which would require a discrimination as to her public vessels? She has rescinded her orders in council. And what have we done in return? Have we done nothing? Has G. Britain held out the hand of friendship, and have we refused to meet her? Has she withdrawn her orders in council, and have we insisted on a continuance of our commercial restrictions? I have understood that she has done nothing but rescinded her orders in council, and we have renewed intercourse with her therefor. I am more astonished at the proposal to discriminate, when we see that at this moment orders are in existence blockading countries to which your merchants have long ago taken out clearances, in violation of stipulations which Britain had proposed to us. When she has violated our rights, I am more astonished that gentlemen should wish to go beyond the letter of the law. And, let the consequence be what it may, it would result to the benefit of this nation that we should not be influenced by idle fears of imaginary dangers. My better judgment tells me we should exclude the armed vessels of both nations; but the general sentiment appears to be against it. It is asked of us, why admit the vessels of France, whilst injuries which she has done us are unatoned for? And I ask, sir, why then admit the vessels of England standing in the same relation to us? I only make these remarks as going to show that we ought to be strictly neutral. If, sir, you wish to take part in the broils of Europe, embody your men, send them over to the disposal of England at once, and let her send them to Spain or Austria. But if you would remain neutral, either admit or exclude the armed vessels (as you would armies) of both belligerents.

I had thought, sir, not only from the acts of our government, but from conversing with gentlemen, that we hailed the present as an auspicious moment, as a political jubilee; I had thought that we had been on the verge of war with the two most powerful nations of the earth, but that our situation was changed, and that at the same moment we now offer the only asylum to the victims of European wars. And are you now about again to jeopardize the peace of this nation without any cause whatever?

The exclusion of French and British armed vessels at the last session, may be taken on this ground. It was a defensive war, not only for the injuries we had received, but in expectation of actual hostility. Has it occurred? No, sir. Would you have excluded British vessels since 1793, for taking the vessels engaged in your lawful trade and for impressing your seamen? You did not do it; and it was not for that alone that you did it at the last session, but for other causes, which have nearly or quite disappeared.

I have done, sir. I shall not vote for any proposition which makes a difference between France and Great Britain; not that I am afraid of the conscripts of Napoleon or the navy of George the 3rd. But I cannot consent to adopt a course which will again obscure with clouds our political horizon.

Mr. Smilie said that if he now took up five minutes of the time of the House, he could not excuse it to himself; and he should not have risen but to explain the reasons for the course which he should take. As to the amendment, to that he could never agree. The question which the legislature often had to decide was not what is best, but what is practicable. Now he thought it a happy circumstance that parties in the other House had united on this subject. However we may differ as to local affairs, said he, I think it good policy, if it can be done without a sacrifice of principle, to meet in concert on measures of external relations. What may be the effect if you introduce either of these two principles into this bill? We know that if this bill does not go to the Senate till to morrow, if amended, a single member of the Senate can, according to their rules, prevent the bill from passing altogether. My opinion is that it is our duty to pass the bill in its present form. If any material alteration be made in the bill, I believe it will not pass. If it does not, all that has taken place between this country and Great Britain is at an end. And I hope that this reason will induce gentlemen to permit the question to be taken.

Mr. J. G. Jackson said he had intended, before the day had so far progressed, to have explained to the House the motives by which he was actuated in relation to the bill. He said he would still take the liberty of stating to the few members present (the House being very thin) why he offered the amendment to the amendment. It will be recollected, said Mr. J. that the other day I stated that a construction had been given to the law contemplated to be re-enacted by the bill on the table, which, notwithstanding the renewal of intercourse, excluded armed vessels from our waters; and for the purpose of doing away completely that construction, I moved an amendment, which, gentlemen conceiving it unnecessary, I withdrew. If gentlemen are correct in the opinion which they advanced, and which induced me to withdraw that motion, they cannot consistently vote for the amendment of my colleague providing an exception to a provision which the bill does not contain. Where is the necessity of a proviso if the law does not bear such a construction? Is the Executive to infer from the proviso that something exists in the law which the friends of the proviso declare does not exist? The amendment proposed by my colleague provides for the admission of the armed vessels of those nations with whom commercial intercourse *shall* have been (not *has* been) permitted. Are you by this phraseology about to devolve upon the President a discretionary power, holding the scale of national honor in one hand and the injury and atonement in the other, to decide which nation shall be thus favored, when it is conceded on all hands that the admission of the armed vessels of one nation and the exclusion of those of the other, is an act *ipso facto* of hostility?

Gentlemen have observed that there ought to be an exclusion of French & admission of English armed ships, and that any other course would be an acquiescence in the views of "*sister* France," and hostility to England. This language, sir, does not help the cause which the gentleman advocates. What must be the effect of such insinuations? They must excite feelings, which, I am happy to say, have not been displayed on this floor during the the session but on this occasion. Might it not with propriety be retorted, as a natural consequence, that gentlemen who wish to admit British and exclude French ships, and thus serve the interest of England, are desirous of subserving the views of *mother* Britain? The attachment to *sister* France on the one hand is about as great as the attachment to *mother* Britain on the other. I believe it has been emphatically declared to the nation that we would not go to war for existing differences. If, however, gentlemen since the last session have so materially altered their ideas of the policy proper in relation to one belligerent, let us go to war openly; I am not for using the stilletto, or for stabbing in the dark.

The interdict of British armed vessels from entering our ports was not on account of the affair of the Chesapeake only. It is unnecessary now to repeat the causes which led to it. If gentlemen will turn to the letter of Mr. Madison to Mr. Rose, they will find the causes detailed. Since that time other injuries have been committed; and it has been justly observed that the burning the Impetueux was an insult to the sovereignty of this nation scarcely less than the affair of the Chesapeake. If we permit hostility from one belligerent to another within our territory, we become party to the war, as we do, by admitting the enemy even to pass through our territory to attack another nation. It is in vain to say that a nation preserves a neutral attitude, when it permits one of the belligerents repeatedly to violate its sovereignty. If there be as much injury unatoned on the part of Britain as on the part of France, then a discrimination will be a departure from the ground, which we took last session, that both should be excluded. And the President had no power over that part of the law. Inasmuch as we know that G. Britain has the command of the ocean, and that a French ship of war cannot without a miracle escape across the Atlantic, we in fact by the operation of the bill as it came from the Senate admit English and exclude French ships. We throw open our ports and admit the thousand ships of Britain without opening our eyes to the consequences which have heretofore resulted from so doing. And shall we now refuse admission to the vessels of France? It is indeed difficult to say what led to their exclusion; for it has been with truth observed that the non-intercourse bill had not an advocate in the house. It was something like throwing all our discordant opinions into one crucible, and after fusion extracting what was expected to be gold, but which all called dross. When gentlemen speak of their zeal to maintain the ground taken last winter, I beg of them to recollect their own speeches, from which it will be found that the bill was so obnoxious to them that they would not even extend its operation to the next winter, and that it was with difficulty that it was extended to the end of the present session.

I hope, sir, that present appearances across the water are not the sure tokens of the course which the British government intends to pursue towards us. When, however, they assume so awful an aspect, we had better remain a little longer in our present situation. It was unequivocally known to the British government that the overture which she made would be accepted, because last summer we offered more advantageous terms to her, which she refused to accept. They knew the state of things in this country, however, or the letter of Mr. Canning would not have found its way into the prints of Boston before it found its way to us here. Here is a tariff of duties to take effect on the 12th of May by which cotton is taxed 7 dollars and 50 cts. per hundred weight, pitch 5 dollars 50 cts. per 12 barrels, and many other articles enormously taxed. These duties were laid at a time when they must have known, if my position be correct, and I defy gentlemen to shew how it is not, that their overture was accepted. They were laid at a time when our products were known to be going to that country, having no other market, because they had re-blockaded the continent after nominally rescinding their orders, and thus prevented our vessels from going to the continent. It was a kidnapping duty, and must produce the ruin and bankruptcy of many tousands of those who embarked their property on the ocean within two weeks after the suspension of the embargo. G. Britain has cut off our market from every quarter of the globe but herself, and imposed those duties on our exports to her ports. This is sufficient to induce the American Congress to hesitate. The bill under consideration presents a perfect equality in regard to vessels of war, and discrimination as to every thing else; and in so doing goes far enough.

Gentlemen ask, has there not been a satisfactory adjustment of our differences with G. Britain? I deny it. What is the expression of the British envoy on which gentlemen rely, and on which they are about to sit down quietly under the vine and fig tree? "*In the mean time*, with a view to contribute to the attainment of so desirable an object, His Majesty would be willing to withdraw his orders, &c." *In the mean time*, still persisting in the principle of taxing our exports, a right denied even to us by the constitution. It is to be hung up *in terrorem*, to be let loose upon us hereafter, if we shall not do every thing which is required of us. There is a marked cautious stile of language in this letter which shews that G. Britain in fact has promised nothing. She does not say that she will repeal or revoke her orders, but that in *the mean time* she will withdraw them; and, sir, *in the mean time* she has withdrawn them, and substituted other orders or proclamations equally obnoxious. This is reason sufficient for not going beyond the letter of the agreement; which however I will consent to do, by admitting instead of excluding British armed vessels.

When Mr. Jackson concluded, Mr. Sheffey adopted his motion as a part of his own; which, so amended, was negatived by Yeas and Nays, as given heretofore. And, after some slight amendment the bill was ordered to a third reading to-morrow.

(Debate to be continued.)

On the last day of the session, Mr. Randolph, from committees appointed on the subject, reported the following bills. It was so late in the session that no order was taken on them; they were not even ordered to be printed. For the information of our readers we have procured copies of them.

A bill to secure an impartial jury in all cases, civil and criminal, maintained in the courts of the United States.

BE it enacted, &c. That the judge