National Intelligencer.

& WASHINGTON ADVERTISER

VOL. X. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. NO. 1434.

FIVE DOLLARS PER ANNUM, MONDAY, DECEMBER 18, 1809. *PAID IN ADVANCE.*

NATIONAL INTELLIGENCER.

The following Extracts from a SPEECH delivered by *Mr. Giles* in the Senate, on the 13th of February last, exhibit more in detail the course pursued by the British government in the case of De Palm, and, further, shew the sentiments entertained by Mr. Giles at *that time.*

"Let me now, sir, implore your most serious attention to the publication of Mr. Canning's letter in the Boston newspaper. The time and circumstances attending its publication aggravate the act. It was an unpardonable insult, and ought to be repelled with indignation; particularly insulting was it to those for whose use it was more immediately intended. Is it possible that the British Parliament or nation can justify this act of abandoned profligacy? In the cases of Genet, Yrujo, &c. their ministerial functions were suspended. Their recal was immediately requested and complied with. In those cases the authors were owned; in this he is concealed. The publication is conducted or directed by an invisible hand; but, sir, the act is not the less dishonorable nor reprehensible on that account.

N , sir, the author skulking from public view, stamps the character of the transaction with peculiar disgrace. Insults of this kind sir, have been practiced upon the British government and nation. Let us see how insults of this nature were received and treated by that government and nation. Several cases of this nature have occurred in Great Britain, but I will select one in point which occurred in the time of George the 1st, in the year 1727. It will be found recorded in Belsham's memoirs of George the 1st, pages 192, 193; and in the proceedings of Parliament of that day, in reference to that subject. These I have examined and find them still more pointed than the historical account of them, particularly the resolutions of the House of Commons, which are highly worthy of imitation: they are contained in a very large book, and I therefore declined bringing it to the Senate. The case was, sir, that the imperial resident at the court of London, Count de Palm, was instructed by his government to present to his Britannic majesty a strong and pointed memorial against certain expressions or intimations in the king's speech to Parliament, which were suggested by the imperial court to be unfounded and false, as they probably were, &c. &c. and to publish the memorial for the information of the British nation. How, sir, did the British government and nation receive and repel this insult? Sir, it was received with universal detestation, and repelled with universal indignation. It hushed for the moment the spirit of party. It was deemed an insult to every man, woman and child in Great Britain, &c. &c. But, sir, let me give you the account in the words of the historian.

"With the memorial also was transmitted from Vienna a letter from the chancellor count Zinzendorf to count Palm, expressly commanding him, in the name of his imperial majesty, after presenting the memorial to the king of Great Britain, to publish it together with the letter annexed, for the information of the British nation. The chancellor Zinzendorf, affirms in this letter "that it is easy to see that the speech was made for no other purpose but to exhort the nation to a rupture and open war with the emperor and Spain, and to make the Parliament approve the precipitate and burthensome measures *which the government has taken for private ends too well known.*—That on the first report of these false suppositions, the emperor and the king of Spain in order to silence them, proposed a formal act *de non offendendo,* into which all the contracting parties of the treaties of Vienna and Hanover might enter, till such time as a definitive agreement might have taken place; but that this proposition was rejected. He says, that the articles of the quadruple alliance are expressly and publicly laid down as the unalterable basis of the treaty of Vienna, and that to affirm that by a secret pact concluded at the same time, engagements have been entered into by their imperial and Catholic majesties, repugnant to the same, is an outrageous insult to the majesty of the two contracting powers, who have a right to demand a reparation proportioned to the enormity of the affront. And that the high contracting parties had no other view than that of making peace between themselves without injuring any one else." The allegations contained in this letter and memorial seem but too well founded; but the intemperate language of these papers gave high and just offence; and Mr. Shippen, Mr. Hungerford, Sir William Wyndham, and all the leaders of opposition in Parliament, warmly concurred in the address presented to the throne *on this occasion,* and which passed the house without a dissentient vote. And an order was sent to M. de Palm, signifying "that the said Palm having delivered into the hands of his majesty at his late audience, a memorial highly injurious to the honor and dignity of his crown; and having also publicly dispersed the same with a letter from the count de Zinzendorf to him the said Palm, still more insolent than the memorial, his majesty looked upon him no longer as a public minister and required him forthwith to depart out of this kingdom."

Here, sir, we find the imperial resident, the count de Palm, immediately ordered out of the country, and the nation rising into instant war to repel the insult & retrieve the wounded honor of the nation. Here, sir, we find the bickerings of party silenced—we find every heart united—we find the opposition facing about, and the whole nation presenting a hostile front to the authors of the insult. Can you believe, Mr. President, that a nation which feels so just a sensibility, when an insult is inflicted by others upon itself, can for a moment justify its ministry in inflicting a similar insult upon another nation? Can you believe, sir, that the British nation or ministry can feel any respect for those for whose use the publication was intended, when you contrast their conduct with the generous and correct conduct of the British opposition? When instead of rousing every American feeling to repel the insult with indignation, it seems to have been received with complacency, and directed to its iniquitous end! And shall we be compelled to believe that all honorable feeling is lost and buried under the dominant influence of party sensibility? Surely, sir, this cannot be an attitude which any party would wish to assume, and thus present itself either to the American or the British nation!! Yet, sir, the only difference in the character of the insult in the two cases is, that in one the author was known and avowed, and in the other, he secures himself by his invisibility. But, sir, if the author of the publication be an authorised British agent, and he will avow himself in a bold and manly way, I have no hesitation in saying he ought instantly to be sent out of the country, let the consequences be what they may. Sir, in no country in the world ought this point to be held more sacred, and the insults more firmly repelled than in the United States, where our presses are under no restraint—where not only freedom, but licentiousnes, characterises almost every page."

CONGRESS.

HOUSE OF REPRESENTATIVES.

December 13.

[*Minutes concluded from our last.*]

COLLEGE IN WASHINGTON.

Mr. *Love* presented a memorial of the Board of Trustees of the Public Schools of the city of Washington, praying the patronage of Congress in the institution of a College in Washington.—Referred to the committee of the District of Columbia.

A report was received from the Secretary of the Treasury, enclosing, in pursuance of a standing resolution of the House, a statement of the drawbacks payable on articles exported from the United States in the years 1806, 1807 and 1808, compared with the amount of duties collected on the same respectively. From this statement the following abstract is made:

		Duties rec'd.	*Drawbk's. payab.*
Years	1806	26,197 638	9,146,875
	1807	26,709,833	10,067,191
	1808	11,158,617	249,396

Ordered to lie on the table.

A bill from the Senate for extending to Joseph Joshua Dyster certain privileges (permitting him to obtain a patent for the invention of cast iron bridges, he not yet being a citizen;) and a bill in addition to an act regulating the laying out and making a road from Cumberland in the state of Maryland to the state of Ohio, were each read the first and second time, and the first referred to a committee of the whole, and the latter to a select committee, consisting of Messrs. Morrow, Nelson, Lewis, Ross and Gardenier.

MR. VAN HORN'S PROPOSITIONS.

Mr. *Van Horn* called for the consideration of the resolutions laid on the table by him a few days ago relative to repealing drawbacks, &c. with a view of having them referred to a committee.

After some conversation between Messrs. Dana, Quincy, Macon and Van Horn, as to the proper committee to which they should be referred, Mr. Van Horn agreed that they should go to the committee of Commerce and Manufactures.

Mr *Rhea* objected to the reference of a part of these resolutions, on the ground of the total inexpediency of the propositions contained in them, and assigned his reasons for that opinion at some length. He said that the subject of them properly belonged to the treaty-making power, and the legislating on them at all would take a powerful instrument out of its hands. They went to surrender those rights for which the United States had long been striving; and, if passed into laws, when they should be again contended for, our minister would be told, here is a law of your own Congress formally surrendering that for which you contend.

Mr. *Van Horn* said in reply that it was well known to all that we never should during the existence of a war in Europe be able to obtain an equitable treaty from either of the belligerent powers. As to the surrender spoken of, it was not a surrender at all, but a refusal to exercise certain privileges because injurious to us. If our merchants, instead of employing their vessels in the carrying trade, the source of almost all our difficulties, were compelled to employ them in the carriage of our domestic produce, it might be beneficial to the country. How happened it, he asked, that our merchants were growing rich and our planters poor?—For such was the fact. The system of commerce producing such consequences must be erroneous—and therefore he had proposed to enquire into the propriety of a change.

Mr. Rhea (T) rebutted the idea held out by Mr. Van Horn that his resolutions would afford a remedy to the depressed state of the planters. Instead of enriching them, his resolutions, by doing away all foreign competition in the market for their produce, would make them still poorer.

A motion was made by *Mr. Rhea* to postpone the consideration of the subject till to-morrow. Negatived.

Mr. Macon observed that a reference of the resolutions by no means committed any gentleman to vote for them.

Mr. Rhea (T) then required a separate question to be taken on each resolution.

And the question being so taken, three of the resolutions were referred, and two rejected.

Those referred relate to the prohibition of the exportation of domestic produce in any other vessels than those owned and wholly navigated by citizens of the U. States; to laying an additional discriminating duty in favor of vessels of that description; and to modifying or repealing the laws allowing drawback.

Those rejected relate to prohibiting exportation from our ports of foreign goods in American vessels; and to prohibiting American vessels from carrying articles of foreign growth from one foreign port to another.

And the House adjourned at 3 o'clock.

December 14.

Mr Gold, from the committee yesterday appointed to wait on the President of the U. States with the resolution passed by the House, reported that they had performed the duty assigned them, and that the President had returned for answer that he would attend to the request of the House.

On motion of Mr. *Turner,*

Resolved, That the committee of Commerce and Manufactures be directed to enquire into the expediency of erecting a beacon on Beach Point, at the entrance of Plymouth harbor in Massachusetts, agreeable to the prayer of the petition of sundry inhabitants of Plymouth, Duxbury and Kingston in said state; instead of erecting two beacons on the Stony Muscle Bed near said harbor, as provided for in the act of Congress, approved March 17th, 1803.

Mr. Nelson, from the committee appointed on the subject, reported a bill for the relief of the infirm, disabled and superannuated officers of the late Revolutionary army and of the present army of the U.S.

Mr. Johnson, from the committee of Claims, also reported a bill for the relief of William and Elias Rector.

These bills were twice read and referred to a committee of the whole.

YAZOO CLAIM

Mr. Bacon having moved that the petition of the New England Mississippi Land Company should be referred to the Committee of Claims—

Mr. Troup moved to reject the petition. He said that the virtue of the House had induced it to reject a petition of the same tenor heretofore, and under circumstances too which would have rendered an attention to it more excusable than at present—and why? Because the nation was at peace and had a full Treasury. And what, said he, is our situation at present? The country is on the eve of a war and has an exhausted Treasury. And what is the amount of the claim made upon you? I know not what is expected of you at this time; but four years ago ten millions of dollars was the estimated amount of it. And are you prepared to grant to these men a donation (for it can be considered in no other light) of even three millions of dollars? If you have three millions of surplus money in the Treasury, throw it into the ocean, give it to the beggar who besieges the door of the Capitol, to the old revolutionary soldiers who daily ask for bread—or put it in your own pockets as a reward for your public services—but in the name of justice do not think of putting your hand into the Treasury to pay the hire and wages of corruption. As much as I hate in my heart this corruption, and as much as I have viewed with horror its triumph over the virtue of my country, I have heretofore been content to see this petition lie on the table. But now the case is altered; the time is proper, and I hope that the virtue and understanding of the House will induce it to agree to its immediate rejection.

Mr. Bacon said he was not prepared nor was it his wish to reply to the eloquent declamation and pointed denunciation pronounced by the gentleman from Georgia. He would only say that the petition was preferred by a respectable portion of citizens and ought to be referred. It embraced the claim of not only a respectable but of a numerous portion of the people of the state which he represented although he had not himself a constituent who was interested to the amount of a cent in the claim. It was a subject of as great magnitude as any ever presented to the House, and in his opinion extremely interesting to the internal policy and interests of this country. It was a claim sanctioned by high authority, by persons of the most respectable standing in the government. Should a claim of this amount, which had more than once attracted the notice of the Legislature of Massachusetts, not be referred? In this House there were not less than forty or fifty members to whom the subject was new and who ought to be made acquainted with it before they decided on it. Were they sufficiently versed in it to enable them to determine at once that this claim was so unjust that they would immediately shut the door on it? It appeared to him that the house could not be prepared to adopt the motion of the gentleman from Georgia, whose sensibilities were so highly excited.

The *Speaker* decided that the motion to *refer* a petition had preference of the motion to *reject* it, because it had been first made.

Mr. *Dana* observed that from what he had heard of the petition, it related to the same subject as a report made to Congress by certain commissioners appointed to investigate it, viz. James Madison, Albert Gallatin and Levi Lincoln, the then Secretary of State, the Secretary of the Treasury and the Attorney general. These persons had so far respected the right of the claimants and the interest of the United States as connected with it, as to recommend a compromise. If the gentleman from Georgia had spoken of things of his own knowledge, and not of things which depended upon proof of which different opinions might be formed by different persons, Mr. D. said he should place implicit confidence in his opinion. But when doubts did exist in relation to the justice of the claim, when a respectable board of commissioners had reported in its favor, were the House ready to say that this petition should be driven from them as infamous? Were they at liberty thus to refuse it a reference or reject it upon the denunciation of the delegation of any state, however respectable the state or its delegation? Mr. Dana said he did not feel disposed to do so, and had rather that the petition should take the usual course.

Mr. *Stanford* said that the report of the commissioners alluded to by the gentleman last up, had declared that in justice no claim could be set up by the petitioners; but it recommended a compromise on the ground of policy. He hoped the House would not agree to refer this petition, when they had peremptorily rejected a bill from the Senate, heretofore, going to carry into effect their prayer. He called for the Yeas and Nays on the question of reference.

Mr. *Troup* said he was aware how improper it was on the question of reference to enter into a consideration of the merits of the claim. But one word he must be permitted to say as to the respectable characters who had recommended an adjustment. How, in what way had they recommended it? In the same breath in which they had stated that it would be advisable to compromise the claim, they had said that the Yazoo claimants had not a shadow of title, but had advised Congress to get rid of them as a formidable faction. In the same report in which the commissioners had advised Congress to pay them and send them off, they had also declared the four fifths of the Legislature whose act was the foundation of this claim, were bribed and corrupted.

Mr. Poindexter said that the petitioners prayed for a compromise of their their claim, not for money, but for a portion of the land to which they declare themselves to be entitled.—He could therefore see no propriety in the petition's being referred to the committee of Claims; it should rather be referred to the committee of Public Lands. If referred to that committee they would examine in what situation the claim was placed by the articles of agreement and cession between the United States and Georgia. According to these articles, after one year from the ratification of them no act could be passed by Congress to cede any part or portion of the land to any individuals or companies whatever; and if such cession should be made, by the same articles the land so ceded would revert to the state of Georgia. If the House then were to cede land to the petitioners as prayed, it would immediately become the property of the State of Georgia; the cession would confer no title, because it could be in contravention of the very agreement on which they had proceeded to legislate. He submitted to the house the propriety of refering a subject on which the house could not act without impairing a solemn compact. It would be impossible, without nullifying the articles of agreement, to give them any portion of the land thus ceded by Georgia. Either the articles of cession must be repealed or the prayer of the memorialists must be rejected. He was not inclined to say much about the corruption practised in obtaining the act of Georgia of 1795 for a cession of forty millions of acres, but he was generally indisposed to do any thing in favor of the petitioners, because he believed the grant had originated in fraud, and that fraud had attached to it through all its various ramifications.

Mr. *Bacon* remarked that it was true that the articles of cession provided that after the term of one year no cession of any part of the land should be made by the United States. In 1803, however, within a year after that time, an act had been passed regulating grants of land south of the State of Tenessee in which so much of five millions of acres as may be necessary to satisfy claims against the land is reserved for that purpose. This section of the law obviously had in view the claims of the petitioners. He presumed the gentleman from Mississippi Territory had not adverted to it. With respect to the mode of reference. Mr. B. said it was true that the petitioners asserted a claim to land, but they expressed a desire for a compromise in any way. It was not for land that they specifically asked, but for such compensation as Congress should think fit to give them. He should be glad to see to what conclusion any committee, sitting coolly down in their chamber to investigate it, would come on this subject. Instead of fervid eloquence and glowing declamation, he should like to see a cool and deliberate investigation of the claim.

Mr. *Livermore* said it was true, as had been observed, that this was a large claim, but its magnitude did not render it the less just—If the facts stated in the petition could be substantiated, he appealed to every gentleman who had ever entertained an idea of justice whether the petitioners were not entitled to redress. If they could not be proved, the effect of it would be very different—and therefore, to ascertain the correctness of the statement, an enquiry ought to be made. As to the assertion that fraud attached to the claim through all its ramifications, Mr. L. said that he was acquainted with some of the petitioners, and knew that there were no men on the face of the globe who would more despise the idea of fraud than those petitioners—the gentleman himself could not be less disposed to sanction it than they would. These persons had purchased the land, for which they had paid their money and had been ruined by it—men who had been rich were now beggared by it. It would be denying justice to refuse a reference of the petition. If gentlemen believed facts to be against the petitioners, could they not trust them-