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MONDAY, *DECEMBER* 30, 1805

Congress.

PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

[*Taken for the* AMERICAN.]

THURSDAY, Dec. 26, 1805.

Mr. Findley said, that the committee of elections had directed him to make a report in part. This report was confirming the testimonials of the members to seats in the house, and their names were called over by states.

Mr. Crowninshield called for the order of the day on the petition of Edward Topham, George Jenkins and Wm. Currier.

In committee of the whole.

Mr. Quincy observed, that as the debentures were negotiable, it may not be known, into whose hands they may fall. He moved an amendment—That they should be delivered up.

Mr. Crowninshield replied, that the amendment was a surplusage, because it followed as a matter of course, that the debentures would be given up.

Mr. Eli was in favor of the amendment.

Amendment lost—Ayes only 34.

The bill was then reported to the house by Mr. J. C. Smith, the chairman of the committee, and made the order of the day for Thursday.

Petition of the late crew of the Philadelphia frigate, called for, and on motion, it was resolved, that the petitioners have leave to withdraw the same.

On motion of Mr. Bidwell, the House resolved itself into a committee of the whole—Mr. Gregg in the chair—on the report of the select committee to whom had been recommitted the resolution respecting Wm. Eaton, Esq.

The report of the select committee recommends the amendment of the original resolution, so as to *confer a medal* instead of a *sword*; and so to amend it, as to recognise the taking of Derne.

On the first amendment, to confer a medal, instead of a sword, a debate ensued, in which the amendment was advocated by Mr. Bidwell, and opposed by Messrs. J. Clay and J. Randolph; when the question was taken, and the amendment carried—Ayes 56—Noes 54.

The second amendment was agreed to without a division. The committee rose and reported their agreement to the report of the select committee.

The House immediately took into consideration the report of the committee of the whole.

Mr. J. Clay called for the yeas and nays on agreeing to the first amendment, substituting a *medal* in lieu of a *sword*; on agreeing to which a further debate arose—Messrs. J. Clay, Jackson and J. Randolph opposing, and Messrs. Varnum, Elmer and Kelly supported it.

Mr. J. Clay said, that it was very far from his intention to depreciate the merits of Mr. Eaton—but he could not think that the taking of such a place as Derne, with the assistance of about a dozen Americans, worthy so high and honorable a reward, as a gold medal. He observed that such an honor had been voted only upon the most important occasions. He instanced the surrender of York-Town.

Mr. John Randolph concurred with Mr. Clay. He agreed, that the reward voted by a country to an individual, should be proportionate to the services rendered.—He was not, he said, personally known to the gentleman in question, but he thought that his mind would find ample gratification by a vote of thanks from the house. In a case like this, to give a reward, such as was only voted three times during the revolutionary war, he could not agree to. A medal was voted on the defeat of the enemy at Saratoga—another on the capture of York-Town, and a third, on that sublime occasion, when the commander in chief of our army returned, crowned with glory, on the peace, and returned his military commission to Congress. There is, continued Mr. Randolph, a *bathos* in politics as well as poetry—in both we may go too far. Shall we then make a vote similar to that on those occasions, for a mere *scuffle*, between a handful of Americans and a parcel of half naked Barbarians. The expressions of the full approbation of this House, would be more satisfactory, he thought, than the reward in contemplation, and would fully remunerate the gentleman for his services.

When the Yeas and Nays being taken, the amendment was carried—Yeas 58—Nays 53.

The other amendment passed without a division.

Mr. Stanton moved further to amend the resolution by adding the following words: "By which atchievement he has shewn himself capable of uniting information with talent, reflection with experience, and stratagem with bravery."

This amendment was disagreed to—Yea 1—Nays 101—the mover alone voting for it.

Mr. Smilie expressed his regret that on a subject, that so eminently called for unanimity, and on which there was no difference of opinion as to the meritorious services of Mr. Eaton, there should be such a diversity with regard to the *proper tribute* to be bestowed. Considering it highly desirable that the resolution, before it received a final vote, should be so modified as to unite the varying opinions in the House, he moved a recommitment of it to a select committee.

In this motion the House concurred—Ayes 57—Noes 55—when the resolution was recommitted to the same committee to which it had been previously referred.

FRIDAY, December 27.

Resolved, that the committee of claims be instructed to enquire whether any, and what further compensation be allowed to the collectors of the direct tax.

Referred.

A Message from the President of the U. States was read—relating to the progress of the public Buildings in the City of Washington.—Referred to a select committee of 5, and ordered to be printed.

Petition of the inhabitants of New-Haven, in Connecticut, for another Light-House in Long-Island Sound.

The house went into a committeee of the whole on the report of the committee of commerce and manufactures, for erecting Light-Houses on Long-Island Sound, and making the town of Roxbury a port of delivery.

Mr. Crowninshield said, that he believed there were already six Light-Houses on Long-Island Sound, but, that in consequence of the conduct of the British cruisers, in searching our vessels, and impressing our seamen, shipping were compelled to seek shelter there, and therefore the two additional Light-Houses were necessary. He also spoke upon the propriety of making Roxbury a port of delivery.

The chairman reported the bill without amendment, and the house concurred. It was then ordered to be engrossed, and to be read a third time on Monday next.

The house went into a committee on the petition of Anthony Benezet, and others.

A debate ensued—the committee rose and had leave to sit again.

Mr. Broom moved as follows:

Resolved, that the committee of commerce and manufactures be instructed to enquire into the expediency of making the port of New-Castle, in the district of Delaware a port of entry. Agreed to.

The house, in committee of the whole, determined against the petition of William Mattox and Haenes French, of Vermont.

Adjourned till Monday next.

From a late London Courier.
With remarks by the editor of the Aurora.

The dispute with America.—We have already had reason to notice, that a very general and vehement indignation prevails in the United States against the conduct of our cruizers, and the decisions of our admiralty court; and that the ambassador from the United States has presented a memorial upon the subject to our government. We are told even by some among ourselves, that the complaints of the Americans are but too well founded; and that indeed *such has been our hasty violence, that the Americans may be driven to measures of reprisal.* Upon a matter so important and serious, it cannot be unseasonable to consider the nature of the allegations against us, and which from the perpetual theme of the American declaimers in all their haunts and companies *in this country*, where, by the habit of long intercourse, mutual language, similarity of manners, and former relationship, they find themselves so much at home, that they are regarded as a part of our own community, and are permitted to exercise an influence over both our political and mercantile affairs, which neither *their wisdom* nor *disinterestedness entitle them to possess.*

[Would not any one acquainted with Philadelphia and New York, suppose that this was a *satire* on the influence of the English in these cities! The *intellectual profundity* of English agents who come to America is amazing!—but not half so amazing as their influence!]

The states of America are obviously placed so far beyond the immediate effects of European politics, that the American citizens are enabled to *reap advantages in trade from the confusion that prevails among the kingdoms of Europe.*

[And is this the fault of the American citizens or of the European kingdoms?]

And our naval superiority having compelled our enemies to keep their vessels at home, the carrying trade of their foreign establishments is conducted almost entirely by neutrals, of whom the greatest number are Americans. This system has, therefore, obliged us to adopt a very *rigid scrutiny* of American vessels; and it is from the exercise of it that the complaints against our cruizers originate. But before we assert the justice and expediency of the measure, let us consider the fact on which it is founded.

[It is not the *scrutiny*, though that is sufficiently oppressive, and conducted with an insolence that is insufferable—it is the *plunder*, the confiscation *contrary to law*, the violation and dictation of new laws unknown to mankind before, it is the impressment of our seamen without any satisfaction given to our repeated applications—it is robbery and injustice and tyranny we complain of.]

The produce of the enemies colonies is carried by American vessels, with dissimulated papers, to the United States; it is there landed, and again shipped for Europe in American vessels with dissimulated papers.

[This is all a pretext, such abuses occur, and by none are such abuses more practised than the British, *too much* of whose manners and loose ethics, remain with us. Is it not enough that England levies a duty on all goods brought into her own ports equal to an *eighth* part of the whole cargo as a war duty, and an additional *tenth* of the whole cargo, on American commerce; will nothing content her but making colonies of us again.]

The original interest in the property remains unchanged, and is, during all this circuitous route, still the enemy's. This is a notorious fact, and is as well known in London, as that an immense arrear of debt is due by the citizens of the United States to the merchants and manufacturers of Britain.—Indeed it is a trade which *we ourselves practice*; and till very lately though not at present (for reasons which shall be afterwards mentioned) the greatest part of our Mediterranean commerce was managed under *neutral flags*, and especially under the American.

[This is a precious confession.]

Now, with this indisputable statement of a fact so public, in what consists the injustice of ordering our cruisers to be vigilant towards neutrals, and strict in the investigation of American cargoes? The scrutiny which we practise, and which our enemies would also practise, if they had the power, and which they do practise whenever an opportunity occurs, is nothing more in its consequence than an *inconvenience* attached to the nature and employment of neutrals by belligerents, and which, instead of being a subject of diplomacy, ought to be considered by the American in the rates of his freights.

[This is the most abandoned impudence—after ship and cargo are plundered—make it a consideration in the freight.]

If it be true that the American government has actually been so impolitic as to interfere in *practical* matters of trade, and the American ambassador has actually addressed a memorial to our ministry, we must prepare ourselves for a revival of the old discussion about *neutral bottoms*, inlarded with all the insidious stuff and quibble of Talleyrand and his moral fraternity. The doctrine of *neutral bottoms* is founded on some sort of analogy which is supposed to exist between a *ship* and a *state*; and because belligerent nations, (except indeed, by those restorers of barbarism, the *French*) have always respected the persons and property of the opponents resident in neutral countries, it is asserted that the same respect should be extended to what may happen to be in the machines that bear the *heraldric symbol* of those countries upon the sea.

[Meaning in plain English, the *ship's colours*—the writer of this English Article, is one of your *prig editors*, who leave sense and information out of consideration, in order to make a *shew of words.*]

But the respect paid by belligerents to each other in neutral territory, is not a *matter of right*, but *expediency*, a thing of *immemorial custom* and no more related to justice than the popish sanctuary that protects criminals; and its opposite on the seas is entitled for the same reason, to the same deference.

[This editor is beyond all doubt an Englishman, a real substantial, self sufficient John Bull—and that is saying enough—he cares very little what any one else *knows* or *thinks*; what he thinks he will say, and he has so much sense *he thinks* that nobody else can have any to spare. But here, as in many other cases, John is as ignorant of the principles of the law of nations, as of the laws of the planet Mercury.]

Situation only, cannot affect the intrinsic quality of things; *custom alone is the preserver of privileges.*

[This is one of the *paradoxes of prigism*—heretofore it was considered by mere sensible people, that *laws* and *morals* were the preservers of *privileges*—and that the very word carried in it the explanation.]

The property of a British or French subject remains as intrinsically British or French in a neutral state or a neutral vessel, as in the British or French dominions; and the custom that protects it in the one case has no better foundation than the practice which seizes it in the other. But this is deviating from the point more immediately in view: the complaint of the Americans against us, which, *if at all to be the subject of discussion between the two governments*, since we have shewn that it necessarily arises out of the nature of the case and immemorial usage, must be answered with a complaint by us against the Americans; and which ever of the two nations shews the greatest reason for its re-crimination, let the other make atonement.

[Has any body discovered where it is *shewn?*]

We have no doubt, independently of numerous *equivocations*, both with respect to the fulfilment of the treaties of amity and commerce, and the conduct of the American government and citizens, with respect to the *political interests* of this country, that a stronger case of commercial injury might be made out by us.

[As this is all mystical and incomprehensible, we pretend not to say thing about it farther.]

With reference to the *influence American citizens have in this country*, it ought to be borne in mind, that the insurance of the world centres in London, and that in the community at Lloyd's, the Americans exercise no inconsiderable part of that influence to which we allude. They are there daily in the habit of effecting insurances, and have hitherto persuaded many of the underwriters to cover their risks, although a proof of property being insured in Britain is admitted by the enemy as an authentication of it being British property.

[They might find business enough at home, and the people of America would be happy to exchange cargoes of English agents and consuls—for American citizens who have seen and known what England is.]

Understanding by the decision of sir William Scott in the case of the Essex, that our cruisers were authorised to be vigilant and rigid in the scrutiny of American vessels, the American brokers have inserted in their policies a clause, by which the underwriters are simple enough to bind themselves to settle for a total loss in the event of detention or seizure by British cruisers. Thus making the policy verbally obligatory, but really illegal; it is to be hoped, that the underwriters will take an early opportunity of ascertaining the point in a court of law. The insertion of this clause, where property insured is not warranted American, is equivalent to a confession that it is the enemy's which cannot by statute authority be lawfully insured in this kingdom. It would, perhaps, puzzle a clearer head than even sir William Scott possesses, to say what should be justly done with a cargo originally French, but insured by the clause referred to, and detained by any of our cruisers; for the property, by the insurance, becomes British, and belongs to the underwriters. However, as these points are only touched to shew what use the *influence* of the Americans is applied to in this country, let us see what are the consequences that have arisen from it, and whether they may not furnish our government with as many reasons to accuse the American ship masters of deliberate treachery and perfidy, as the government of the United States can alledge against the hasty violence and tyranny of the British officers. If the irascibility of two or three commanders of frigates be matter of complaint against the one, why may not the profligacy of the commanders of merchant ships be retorted by the other?

[Since this writer has gone into the tricks of stock jobbing and insurance, and charged them upon the American nation; we may be allowed to go *a little higher up.* Has the American government ever interfered in the cabinet of England, and attempted to corrupt its members? Has the American government ever proffered 10,000 dollars as a bribe to an English general to engage him in a war on the English frontier? Has the American minister in England ever conspired with a member or members of the English house of lords, to create a civil war? Has the American secretary at war ever established and supported a press in London, the object of which was to destroy the English government, and vilify the people; to sow dissention, and spread immorality and discord through the country? Has such a character ever been declared in congress *worthy of a statue of gold*, for this conduct? America cannot be accused of this—yet reverse the picture, and this and a thousand times more has been done by England towards the government, the people, the citizens and the peace of America.]

It was mentioned that till lately we managed a considerable part of our Mediterranean trade under neutral colors, and particularly under the American. The American is now universally rejected, because the last spring and summer almost every one of the American ships loaded by our merchants, or insured by our underwriters, fell into the hands of the enemy; so unparalleled was the bad fortune of the American ships in the Mediterranean trade that a suspicion began to spring up, at first as to the integrity of the destination of the voyage, but at last, as circumstances unfolded, it came out that a strong motive was offered to the American ship masters not to keep too far from the enemy's coast, and the events proved how little able their honesty was to resist the temptation. Whenever an American vessel, insured or loaded by British subjects, was carried in by the enemies cruisers, she was quickly unloaded, the ship master paid his full freight, and his vessel allowed to pass unmolested wherever he desired to go.

[This is one of the grossest libels ever uttered!—The real fact is, that it was during the English ministry of *Addington* that their merchants engaged American bottoms in the commerce of the Mediterranean and Levant; but it was soon perceived that the Americans in doing as much as they were engaged to do for the English, were at the same time, doing *as much* over and above for *themselves*; and where they shipt a cargo for the English, they either procured another or purchased a ship and freighted her on the American account; and so far was this carried, that a representation was made to the English board of trade, who took measures to check the American trade, wholly from an apprehension, that they must be ultimately superceded in the whole trade by American enterprize.]

As the freight was all he cared about, it was good policy to get so soon and so well rid of a cargo without the straights, for which he was chartered to Italy or Malta. The losses which both our underwriters and merchants sustained by this perfidious trafficking have been ten times greater than all the aggressions that all the British cruisers have ever wantonly committed on the American trade.

Our government certainly shewed great forbearence in not making an effort to obtain sufficient evidence of the part which some of the American ship masters played, in order to demand indemnification from the American government, and the persons of the offenders, as pirates.

Surely, however, it did not fail to communicate to the American ambassador a copy of admiral Collingwood's letter on this subject. Since the communication of it to Lloyd's, many of the brokers who hold the policies on those vessels who ran into the enemies' ports, have hesitated to call for payment of the loss—When so great a cause of recrimination as this exists, let us not be dunned and pestered with the afflictions which the innocent unoffending Americans endure from our cruizers—let us act openly and firmly, and before we presume to be generous to others, learn to be just to ourselves.

(That abuses may have been practised that there may have been a fraudulent act, or even several, is not at all improbable; we imitate practices of the English too much, and in no nation on earth is there so much *Smuggling* and illicit trade carried on as in England; it is known as well on the Royal Exchange as that the Exchange is an open area with a piazza round it, that smuggling in every branch of trade is conducted with as much system or nearly so as half the amount of the regular trade; and so much so that the directors of the English East India company have been owners of vessels under Danish, Imperial, and Swedish flags; and we only notice this particular branch, because it may be recollected that some short time ago the house of *David Scott*, an East India director, was completely exposed by the seizure of one of his vessels and the interception of his vast *smuggling* correspondence, which embraced *China*, *Anboyna*, *Batavia*, *Bencolen*, *Pulo Penang* *Ceylon*, *Calcutta*, *Bombay*, *Surat*, *Madeira* *Lisbon*, and *London*. A nation which, *nurses* and connives at such smuggling; and this is only one of many cases; which employs itself *agents in Spain* to *smuggle* wool and coin out of Spain contrary to the laws of Spain; the members of a nation like this—should be very slow to talk, of a nation in which there are fewer frauds committed on the laws of commerce than in any other nation, and when they do occur are generally committed by Englishmen who cannot overcome their early habits.)

We may learn the real foundations of this charge of policy from an *enemy*, for surely never had the prosperity or happiness of any country, a more malignant and causeless enemy to the feeble extent of his capacity, than *lord Sheffield*, the commercial *mentor* of Mr. *Pitt*—such authority is surely to be preferred to the hired and prostituted effusions of the *apostate* London Courier—"During the late war, many of our trading vessels were *unavoidably* taken up in the service of government, it was thought advisable *for the present, to suffer* all goods to be imported in neutral ships; a great importation consequently took place of the *produce of countries at war*, as well as neutral nations; and the goods were permitted to be warehoused, both for home consumption and re-exportation; but though the laws to which I have alluded, may have arisen in the whole or in part, from such principles; they are not therefore to be vindicated. Some of them afforded great advantages to foreign ships, in permitting articles of merchandize to be stored, which they did not allow to British ships, and all of them amounted in principle, to a suspension of the navigation system, and were admitted, I should think, through laxity of principle, and want of perception of the true spirit of our navigation laws."

We can give the English government no credit for their supposed forbearance; in fact, their doing nothing is proof irrefragible, they could not do any thing. Why have they not restored our citizens to their families? In this article there is one thing remarkable; we see that the *law of nations* is never once mentioned as involved by a man eager to grasp at every quibble and selfish axiom that could support his purpose; on the contrary, he not only says, *neutral goods* on neutral bottoms, but *goods the produce of nations at war* were introduced to England. And how does he vindicate this—why, he says, it is not to be vindicated, because it was through *laxity*, through want of a due execution of the *navigation laws*. And this was not the real motives for interfering—American enterprize was cutting them out of the *Levant* trade—that they should be jealous of our competition is not unnatural---but it is very absurd to attribute it to any other than the real and obvious causes---the same causes which about a year ago produced the attempt to *cut us out of the intercourse* with the *West Indies*, which had nearly produced a *famine* or a *revolt* in some of their colonies. The attempt to retard our prosperity is as futile as the attempt to dry up the ocean with a pound spunge.