intolerable, and overcomes every restraint which either government or the opposing interest of traders can create. Those traders themselves, too, when a war has lasted long, gradually shift their capital into new channels, and withdraw more and more from the hazardous speculations in which, during a short period of hostility, they might be contented, or compelled to continue.—The lines of employment which they thus leave, become, in consequence, open to neutrals, who now carry on the various branches of foreign trade, from which they were formerly excluded.—Thus it happened from the combined effects of our astonishing naval superiority, and the unprecedented length of the war, that almost all the foreign commerce of France, and a large proportion even of the coasting trade, have fallen into the hands of neutral nations, and particularly of the Americans, who have the greatest facilities of maritime carriage, and the most rising commercial system. Among other branches of the French commerce now engrossed by American traders, with the permission of both governments, is that of the colonies. As their trade, during peace, was subject to the strict rules of the navigation law, common to all the maritime powers of Europe, a peculiar objection has been taken to its being suddenly laid open by the enemy to neutrals during war, for the evident purpose of screening it from our just hostility. And this interference of the Americans, in order to assist such a scheme, has been supposed inconsistent with the relations of neutrality which their nation professes to maintain.

"It is in vain the supporters of the belligerent rights contend, that England conquers the French marine, nay, reduces it almost to annihilation. Her ships of war may be captured, but the commerce of France is safe. She may declare war when she pleases; and without a ship that can make head to our weakest cruizer, she has a sure method of at once protecting her whole trade more effectually than if she had the entire command of the seas. She has but to suspend her navigation law, to admit the Americans into her colonial and coasting trade, and to fit out no vessel under French colors. The English cruizers may domineer over the seas, and yet they are unable to touch a ton of her trade. She has millions floating on the vessels of neutral nations, which no enemy can reach. She reaps the undisturbed benefits of commerce & colonies, without the risk of capture or detention. She may fit out nothing but privateers or cruizers to attack our trade or distress our colonies, while her own are beyond the efforts of our armed vessels. She unites the whole benefits of war with all the security of peace. The rule, it is contended, which should guide us in this question, as the fairest measure of justice to all parties, is, that neutrals can only take part during war, in such branches of commerce as the domestic regulations of the belligerent allowed them to partake in during peace.

This doctrine was recognised, we are told, in the war of 1756, and has never since been disputed, though England has frequently departed from its rigour by voluntary concessions. Its policy is as obvious as its justice, say the enemies of the neutral claims. Were the present principle of unlimited neutral trade to be recognised, England might give over every pretension to naval power, abandon the hope of curbing French commerce, and despair at once of gaining any thing by a continuance even of the justest war. Should the support of our maritime rights lead to a rupture with the neutrals, which, however, is said to be most improbable, we can lose little by such an addition to the number of our enemies, in comparison of the vast detriment which we now sustain, from those neutrals tying up our hands against all the enemies we have to contend with. Better, say they, have America as well as France hostile, and exposed to our fair attacks, than France openly hostile, and America covertly protecting her from every effort of our enmity. This will give us a chance of speedily terminating the war, or at least secure the opportunity of rendering it both safe and lucrative.

Such is the main body of the argument, in favor of the justice as well as the policy of our reviving the rule of the war in 1756. The chief point at issue is the application of that rule to the colonial trade of the enemy; and, without at all entering into the question of right, we shall proceed to offer a few simple considerations, which may tend to shew that the view of the case, in point of policy, taken by the supporters of the above doctrine, is by no means a correct one, and that the importance of the whole matter at issue in the dispute has been enormously exaggerated. The following observations proceed upon the further admission, that the facts stated by the advocates of belligerent rights are accurately given, and also that wherever a neutral flag is assumed as a cover to the ship and cargo of a belligerent power, so evident a fraud is excepted from the argument. The points to be maintained are, that, whatever right England may have to prevent the interference of America in the French colonial trade during war, no material advantage could be gained from the enforcement of such a prohibition; that the real difference between the former and the present method of carrying French colonial produce, and supplying the French colonies, is extremely trifling in its ultimate consequences; and that other reasons of a very positive nature enjoin a departure from such claims in the present situation of affairs.

To prevent a supply of colonial produce from reaching France, if not directly, at least by a roundabout importation, exceeds the power of the British navy, numerous and victorious as it is. Unless we can surround every port of the French coast with ships, and the land frontiers also with troops; and unless we are still further resolved to prohibit neutral nations from trading with France in their own merchandize, or in merchandize of our colonies, the French people must continue to be supplied with sugar and coffee, whether we are at war with them or not. If we prevent those articles from being carried directly to France from her colonies, a small increase of the price will enable neutrals to import them into their own countries, and then re-export them to France. If we maintain that the mere importation and re-exportation, though accompanied with re-landing of cargoes and payment of duties, is still a collusive transaction, and must be prohibited, as a continuation of the original voyage; then a further increase of price enables the same produce to reach France in different vessels, while the vessels that imported it take other freights. We in fact only oblige the neutrals to have two sets of vessels, one employed between the French colonies and America, the other between America and France. The total gain of England upon these prohibitory operations, is the causing Frenchmen to drink their coffee some sous a pound dearer, which is a most pitiful advantage to us; and creating inconvenience to America, which is no advantage at all.

But suppose we go a step further, and prevent the Americans from exporting the French colony produce at all, upon the plea that this trade was not open to them during peace; let us consider what consequences will follow. One of three things must happen if such a prohibition is rigorously enforced; either the French will be compelled to carry their produce in their own ships—or the English will be allowed to purchase it, and then sell to neutrals in Europe, who will carry it to France—or the produce will be condemned to remain in the colonies. If the French venture at first to freight their own vessels with the produce, the British cruizers will infallibly take them, or at least the risk of capture, which made the French throw open this traffic to neutrals, will continue to be so enormous, that neither the planter nor the merchant can afford it. This expedient will therefore speedily be abandoned. If the English traders are allowed to purchase and carry the produce, it may be remarked, that such a proceeding, such an intercourse with the enemy, would be contrary to all the general rules of war, and would be a compromise of our character for the gain of trade. But, after all what great national end would be gained by such a commerce? The French would pay somewhat higher for the produce than if neutrals carried it; and a few English merchants would gain a certain commission upon the sale of it. The capital required to carry on this new and suddenly created branch of trade, would leave other branches, in which it had formerly been employed; and those branches would be filled by the capital of neutral nations. At a peace, a new change would be necessary, the capital must partly shift back again, and must in part be thrown out of employment altogether. Such changes are rather upon the whole hurtful than beneficial in a general view. Lastly, if the produce of the French colonies is prevented from being exported, it must rot there, and the colonies must be ruined; the supplies of provisions must fail; the work of the plantations be suspended; the negroes revolt, and the whole be involved in ruin. Besides the cruelty of such a plan besides its total repugnance to the practice of civilized warfare, which never attacks private property, except at sea; the evils of this system would be shared by ourselves not only from the loss of customers, which we should feel when so much wealth & industry was destroyed in the country of our nearest neighbors, but also from the incalculable danger of having scenes of rebellion and confusion in the immediate vicinity of our finest colonies. The plan therefore of preventing all exportation of French colonial produce, though the only consistent one to those who attack neutral rights, and the point to which all their support of the rule of the war of 1756, necessarily leads them, is clearly objectionable on the most established principles, both of policy and justice.

There is, moreover, a very essential distinction to be made, between the ordinary branches of trade and that commerce which is employed in transporting the produce of the colonies to the mother country; which is rather the remittance of their rents to the great body of non-resident proprietors than the exchange of colonial for European commodities. If Guadaloupe or Cuba were countries unconnected with France and Spain, except by the intercourse of traffic; if no further relation subsisted between them, than that the West Indian territories produced commodities, which the European nations required, and must either purchase directly, or procure by a roundabout commerce—then it might be of some importance according to the views with which maritime war is now carried on, for England to harrass this branch of Spanish and French trade, and to profit by taking it into her own hands. The people of Cuba and Guadaloupe would then be paid for their produce by English merchants, and France and Spain would be obliged to buy them circuitously from England. But this is by no means the nature of the navigation between those islands and Europe. The proprietors of the colonies reside almost entirely in the mother countries. The carriage of West Indian produce is not on account of merchants who are to sell it again after having bought it in the colony, but on account of absent landholders, who have no other way of receiving their rents but by having the produce of their estates brought over to them. They live not at their farm, but at the market; and their income is transmitted in goods, which they there dispose of.

Now, by intercepting this communication, what would England effect? She cannot intend to stop it altogether, to prevent the colonial agents from sending any of their revenue to the proprietors, or to intercept it on the way. This would be a kind of warfare quite contrary to the spirit of modern customs; it would be more hurtful to individuals than the entire capture of the colonies where their estates lie, for in that case conquerors never interfere with private property, and only carry the rents of the planter round for them by a channel somewhat more circuitous. England, then, by interfering in the remittance of those rents, without capturing the enemy's colonies, can only mean to trade with the planters, to purchase the produce, and bring it home, where it will be sold again, and reach at last the consumer in the enemy's country, while the agents of the proprietors remit their rents, not in kind, but in money or bills. The same effect will be produced, if instead of buying the produce, we only cause it to be consigned to English merchants, who, for a certain commission, sell it, and account to the planter or his agents. In either case, the colonial proprietor loses absolutely nothing. His produce is carried by the English, instead of French or American merchants; the freight can not be much greater; the commission will probably be less; he is paid by bills upon London or Liverpool, instead of Bordeaux or Nantz, or New-York; and a few mercantile houses in England gain a profit upon the consignment instead of the same number of French or American houses. Surely it is neither for the gain of these individuals, nor for the sake of effecting such a change as this upon the wealth of French colonial proprietors, that we are to insist on the exclusion of neutrals from the colony trade of our enemies. We injure the enemy sufficiently by forcing those neutrals to carry the produce round by their own ports, instead of allowing it to be transported directly from the colony to the mother country, as during peace. This may raise the price of the goods to the consumer in the enemy's country; to the planter, who is most interested in the traffic, we can do no injury whatever, unless we can take the colonies where his estate lies, and there choose to violate the rights of individual proprietors; or until we discover a measure of compelling people to ship cargoes in vessels which are absolutely certain of being captured.

(To be continued.)

ELIAS B. CALDWELL,

ATTORNEY AT LAW,

HAS removed his Office, to the house lately occupied by Mr. Law, on Capitol Hill.

Washington, July 26—tf

TO RENT,

THE COMMODIOUS

BRICK STORE near the Capitol, now in the occupation of Messrs. P. Healy & Co.

Possession to be given on the 1st of May. Enquire of Frederick May.

March 28—tf

PUBLIC AUCTION.

FOR Sale at Auction, on Wednesday the 18th inst at the house occupied last winter by MICHEL K[illegible]OMENA KER, on Capitol Hill, a quantity of

Household Furniture,

consisting of Beds, Mattresses, Bedding, Bedsteads, Curtains, Tables, Looking glasses, Chairs, Carpets, Kitchen Furniture, &c and a small quantity of Plate.

The sale will commence precisely at 10 o'clock and the terms will be for all sums under 20 dolls cash above that amount good notes with approved endorsers, at 90 days will be required

N. L. QUEEN, Auctioneer.

June 9—5t

City of Washington, Sept. 9, 1805.

Several persons under the impression that the public lots in this city are to be disposed of in future by *public sales only*, having made enquiries when the next sale will probably take place, we are requested to state that those lots may at any time be purchased at private sale of the Superintendant of the City.

Sept. 9—tf

WANTED

AN APPRENTICE,

Where the fine arts combined with mechanical practice will be taught—drudgery not being understood as any part of his employ, it is hoped that talent and respectability will be his recommendation.

Apply for information at Mr. Lewis Clephane near the Bank F street.

June 6—tf

WASHINGTON CITY.

WEDNESDAY, JUNE 18.

MIRANDA.

We had determined, from the peculiar delicacy of the subject, to have abstained from all remarks relative to the alleged implication of the administration in the expedition of Miranda. As a prosecution is still depending before a court of justice, the issue of which may be attended with serious consequences to the accused, we thought it became the press to avoid exciting popular or party prejudice to their possible injury. For it was no difficult thing to foresee, that the effect of any violent political collisions on this topic would naturally tend to increase the public indignation towards men, who have taken pains to tarnish the character of those who eminently possess the public confidence. In this purpose we should still persist, but for the numerous attempts which are, as we think, unfairly making in the federal prints to sow suspicions derogatory to the honor or prudence of several members of the administration. These efforts seem to require a concise notice. In the remarks, however, which we shall offer, we shall pursue a course purely defensive, nor offer more than shall appear to us necessary to guard the public against these misrepresentations.

The nature of the course hitherto pursued by the opponents of the administration has not escaped the vigilance of the nation. Wherever from the peculiar circumstances attending any particular measure of importance, a degree of secrecy was attached to it, the most unfounded charges have been made. Thus in the instance of our foreign relations, where considerations of delicacy and duty forbade a disclosure of the circumstances connected with pending negotiations, party malevolence has been sure to seize the occasion of imputing the worst motives, and of deducing the most unfavorable inferences from the silence of the administration. Instead of ascribing to them the pursuit of that honest policy which has almost invariably characterised our government in its relation to other powers, every thing has been presumed weak and vicious, until proved to be wise and virtuous—thus throwing the burthen of proof on those who were criminated, instead of their accusers.

The present case is, in no small degree, analogous. There are not, probably, any facts in the possession of the administration that *require secrecy*, or whose disclosure would prejudice our interests or betray the confidence reposed in us by others; there are, probably, on the contrary, circumstances in their possession, whose disclosure would not only vindicate them, but throw a dark shade of suspicion, to say no more, on their calumniators. The question, however, presents itself—how shall this disclosure be made? By whom and to whom shall it be done?

It has not hitherto been the practice of the executive government to submit directly to the nation the grounds on which it has taken its measures; much less has it been usual to come out with a declaration *that it has not done that with which it is falsely charged*. From the necessity of the case, under such circumstances, calumnies, after having lived their day, have been suffered to perish at their own hands. This has hitherto been their invariable fate. May not the executive then confide that it will be the case in the present instance? Is there a man so infatuated as sincerely to hold the opinion that it becomes the President, or the Secretary of State to issue a manifesto proclaiming that they have had no participation in the acts of Miranda? There is no man can be so foolish. There is not an American, who considers the national honor as implicated in the dignified deportment of his government, that would not blush at such an humiliation. It is enough for the administration to know that they possess the confidence of the nation, which is to them the strongest assurance that their conduct will not be condemned until *proof* is adduced of its incorrectness.

Where then, we demand, is this proof? That Miranda has fitted out an expedition from the port of New-York, is a fact; that he enlisted men and carried warlike stores is also a fact; that the destination of this expedition was some one or more of the Spanish provinces in South America, is extremely probable. But that the administration had any knowledge that he was about to carry these intentions into effect; much less that they had any knowledge of any overt acts, subject to the animadversion of the laws, or which required their interposition, time enough to have prevented the expedition, has not been proved, and we will venture to say cannot be proved.

Almost the whole of the grounds on which these charges have been built have been drawn from the memorials of Messrs. Ogden and Smith, at this moment under prosecution, for an infraction of the laws of their country. These men declare their belief that the expedition was favoured by the administration. The degree of credit which such a *professed belief*, merits cannot be very large, when viewed as their refuge against the accusations preferred against them. But, waving this point, and admitting their professions to be sincere, on what basis are they founded? Exclusively on the representations of Miranda to them. That he, who stood in need of their aid, who was using them as his instruments, should endeavour to instil into them such a belief, is by no means surprising. But that they should thus implicitly confide in his statements is truly wonderful. From Miranda's own representation to them he appears to have been an adventurer, without possessing himself the means of carrying his purposes into effect. To gain these means it was necessary to avail himself of the resources of others. What better way of compassing this, than by leading those, whom he had predisposed to join in his scheme, to believe that his measures were approved by their government? But does his having duped these men furnish any proof against the administration? On the contrary the inculpation of the one goes to exculpate the other.

But the letters of Miranda to the President and Secretary of state are relied upon. That to the President is a mere letter of civility. That to Mr. Madison is more pointed, and is doubtless to be viewed as a link in the chain of imposition, fabricated by an artful man, fertile in expedients. Let it be recollected that these letters are adduced by Ogden. He must have got them from Miranda. When? Most probably at *the time they were written*. This then furnishes the clue to the object for which they were written; and shews that they were written the more completely to cover his designs by furnishing to his instruments, what they would consider additional evidence that the administration favored his views. To Messrs. Ogden and Smith the sight of such a letter could not fail to strengthen their credulity. At the same time we must be permitted to remark that their *preserving copies* of these letters is a circumstance too well calculated to excite suspicions whether their credulity was not in some measure voluntary. But does Miranda, in his letter to Mr. Madison, say one word about the fitting out of the Leander, about an expedition to Carraccas, or about enlisting soldiers? Not a syllable; the terms are studiously general; such, as while they served to deceive Ogden and Smith, imparted no light to the government as to his measures. Whether these letters were really written, whether they were ever received, whether they were truly, or antedated, we are altogether ignorant. In the remarks we have offered, we have ceded every thing asked, to shew that even then no proof of the participation of the government exists.

Why were these memorials presented to Congress? What good end could they answer, particularly on the last day of the session? Was it possible for Congress to interpose? Was such interposition within the sphere of their duties, had even the memorials been presented at an earlier period? The debate we have recently published amply elucidates this point. The presentation could not aid the memorialists, because Congress could not interpose. What else then could be their object but to excite suspicions respecting the motives and measures of the administration, by whose directions one of the memorialists had been ejected from office, and both of them prosecuted for infringing the laws of their country.

To the same spirit we are to ascribe the summoning the heads of department, in the capacity of witnesses, to New-York. What testimony can they give, even admitting for argument sake all that is alleged by the memorialists to be true, that will serve them? Should even the participation of the government in the expedition be established, will that screen the memorialists from the punishment annexed to an infraction of a positive law of the land? No.—The only consideration for the jury will be, whether the charges preferred are true or not. If they are found to be true they must find the accused guilty. On this point, then the testimony of the heads of department can have no bearing. It is not, perhaps, going too far to say, it cannot be received. Certainly it will be altogether irrelevant. It can only be of any avail, after the accused shall have been found guilty of the charges preferred against them, and when the court are about to fix the quantum of fine and term of imprisonment. Have then these subpoenas been issued to embarrass the administration by translating them from their scene of business; or has it been supposed that they would not consider themselves under an obligation to obey them, and would not repair to New-York; or if obeyed, that the court would overrule the admission of their testimony?* And has it been expected from such an issue to gather new materials for impressing the opinion on the public mind that there is something behind the curtain too dark to be exposed to the pub-

* In the celebrated Mandamus Case before the Supreme Court of the U. S. Mr. Lincoln, acting Secretary of state, being called upon to give testimony, Mr. Lee stated "that the duties of a secretary of state were two-fold. In discharging one part of those duties he acted as a public ministerial officer of the U. S. totally independent of the President, and that as to any facts which came officially to his knowledge, while acting in this capacity, he was as much bound to answer as a marshal, a collector, or any other ministerial officer. *But that in the discharge of the other part of his duties, he did not act as a public ministerial officer, but in the capacity of an agent of the President, bound to obey his orders, and accountable to him for his conduct. And that as to any facts which came officially to his knowledge in the discharge of this part of his duty, he was not bound to answer.*"

The court said "*there was nothing confidential required to be disclosed. If there had been he was not obliged to answer it; and if he thought that any thing was communicated to him in confidence he was not bound to disclose it.*"