every other nation, only so far, as is consistent with its own interest. With its own interest! unhappy adjunct, unfortunate addition. By this definition of national morality, benevolence, disinterested friendship, and every cardinal, social, manly, noble virtue is excluded from the morality of nations—consistent with its own interest. Great Britain then, whose apologist, Mr. R. observed, he would not say the gentleman had tried to be, extends the hand of friendship to the U. S. but it is only so far as may be consistent with her own interest. So then, a wonderful discovery is made—of what? Why of that only, which every gentleman in the House knows—only this, that G. Britain acts exclusively for her own interest; and this is the broad boasted ground of morality on which G. Britain always hath acted, and will, if able, continue to act on towards the U. S. And is this the strong, cogent, all convincing, all concluding reason in virtue whereof the propriety of discriminating in favor of G Britain is urged? A considerable quantity of time hath been consumed, in endeavoring carefully, sedulously, and closely to elucidate hypothetically the morality of the old nations of Europe. Away with such visionary theory; come to plain matters of fact; toll and state things and facts as they are, and argue from them as existing; that species of reasoning, which is bottomed on ifs and suppositions, will never do much honor to the political reasoner.

But it may be asked, does the definition alluded to mean and intend that, on the broad ground of morality, it would be proper that the United States do assist Great Britain and join in the war against France? And for that reason, to admit the public ships of Great Britain, and to exclude the public ships of France? Will that mode of proceeding be consistent with the interest of the U. States? If it be so, it hath yet to be proved, and it is not assumed that any gentleman of this committee thinks so. If it be otherwise, let the declaration be made, and then it will be known how to answer it.

Great Britain is bound in justice and honor to carry into complete effect the express and implied conditions in the late negociation had at the city of Washington. It is urged that that power will recede from the late orders in council declaring a great part of the continent of Europe in a state of rigorous blockade. It is earnestly hoped that Great Britain will recede. So far as respected France and the dependencies of France, Great Britain certainly ought to have confided in the honor, justice and magnanimity of the United States, in this, that the United States would have continued the non-intercourse system as defined in the law, in full force, effect, and operation against France, until France will have rescinded her decrees violating the rights of the U. States. Great Britain hath not so confided in the United States, but hath assumed to herself, in this case, to act on the alluded to "broad ground of morality, consistent with her own interest." If Great Britain had acted on the true principle of morality, she would have waited until the result of Mr. Oakley's mission was known, and not have issued those blockade orders. The same late blockading orders do virtually take away the necessity of continuing the non-intercourse law against France, for this plain reason—the non-intercourse law interdicts all commercial intercourse with France. The late orders in council go to prevent all commercial intercourse between the United States and France. The blockading orders of Great Britain and the non-intercourse law of the United States act, as they relate to France and her dependencies, on the same subject. Both are not requisite, therefore; the late blockading orders of Great Britain have superceded and virtually taken away the force of the law of the United States interdicting commercial intercourse with France and its dependencies. It will not be denied, that Great Britain was well informed of the principles of the non-intercourse law, previous to the issuing of the same late blockading orders. It is desirable then that attention be given to these facts and to get clear of them, rather than be descanting on hypothetical visions, which being compared with matters of fact, are like the sounds of a tinkling cymbal.

But it is urged on behalf of the amendment—"that the act of an individual cannot, if disavowed, bind a nation:" And "that a nation is not bound to surrender the individual who committed the disavowed act unless he be demanded." On what principle of moral justice are these assertions made? They are too of the left handed, crooked, vicious principles of that deceptive wicked policy, which hath never failed to destroy a nation. A nation may disavow the hostile act, but it is bound in justice to punish the individual who, in violation of the orders and laws of his own government and in violation of the laws of public reason, perpetrated the hostile act; or to surrender him to the injured nation, although no demand of him be made. Let then all such unjust, deceptive, illusory assertions be omitted in reasoning and argument. Let Great Britain have the labor of justifying her own conduct. The sovereign people of the United States require the honest execution of the abilities of their representatives on their own side of the question, not only as the question relates to Great Britain, but to France also. It is incumbent on every nation to take care for itself. The nations of the old world are taking care for themselves, and it is presumed the United States will proceed in the adoption of measures which will eventually secure their peace, happiness and prosperity.

Monday, June 26.

The committee of the whole were discharged from the further consideration of the bill to revive and amend the non intercourse act, &c

The House then took it up.

Mr. *Sheffey* observed that when the bill had been before the committee he had the honor to move a amendment which he now renewed as follows: "And provided also, that nothing therein contained shall be construed to prevent any public vessel from entering the waters and harbors of the U. S. belonging to any nation with whom commercial intercourse shall be permitted"

Mr. J. G. Jackson moved to amend the amendment by adding to the end of it the following: "Whenever a full and satisfactory adjustment of our differences shall have been made with such nation."

Mr. Dana said the amendment moved to the amendment of the gentleman from Virginia (Mr. Sheffey) went to give a construction to the bill which would operate as a complete exclusion of the vessels of both powers until a satisfactory adjustment of all existing differences shall have taken place. What, said Mr Dana, is the situation in which we are now placed? On what principle is it that British ships were first excluded and on which their exclusion was confirmed by the non-intercourse law? They were originally excluded by the proclamation of the President of the U. States in consequence of the attack on the Chesapeake. The President of the U. States now in office has declared his acceptance of the proffered terms of satisfaction for that outrage. And, after that, is it proposed that we shall continue the measure of hostility, when the cause alone which led to it is completely done away? I should suppose that in the very act of adjustment which took place betweeen the British minister & the American Sec. it is implied that we should do nothing further on this subject. The President of the United States has accepted the satisfaction offered; he has declared those terms when performed to be satisfactory. And are gentlemen considering the restoration of the seamen taken from the Chesapeake as a reason why we should continue the interdict? If we examine this subject fairly, the great principle of reparation was a disavowal of the claim to search our armed vessels, and a homage to our rights. That matter must be deemed to be settled, if the President of the United States had authority to settle it. If the President had not the power to settle it, this furnishes strong evidence that the vote of approbation of his conduct was a proper proposition.

As to the interdiction by the non-intercourse act, I apprehend that was founded on the violation of our neutral rights by the belligerent powers, the President of the United States being authorised to renew trade whenever the edicts violating our lawful commerce should be revoked. Whether or not the President has done right in accepting the assurance instead of the fact, gentlemen have considered it unnecessary for them to express any opinion upon it. If there be no edict affecting our lawful commerce in force by one belligerent, the interdict is at an end in point of fact in relation to that one. The question of the affair of the Chesapeake is settled, if the President had power to settle it; and as to the other cause of interdiction the President has declared that the British orders will have been revoked on the 10th of June. Has the President acted correctly or not? If he has acted correctly in taking the assurance for the fact, the very principle of the non-intercourse is at an end as respects one of the belligerents, and there can be no ground for the exclusion of British armed vessels.

Mr. Taylor said he thought the gentleman from Connecticut used the word hostility in relation to this measure of including British armed vessels from the United States. Now, I believe, sir, (said Mr. T.) that if we go to the opinions entertained, not by the President of the United States, but entertained and expressed in the very foundation of the arrangement which was made, it will be found that the hostility intended to be produced by the President's proclamation ceased at the moment when we passed the non intercourse act in which we excluded the vessels of both the belligerents. The hostility was in the admission of the armed vessels of one and excluding those of the other. It ceased by the non-intercourse law, and so satisfactory was this law of the last session, that it was the very foundation on which the overture was made which ended so much to the satisfaction of this nation. So that, in fact, when we perpetuate the order of things produced by that act, we do not perpetuate the state of things produced by the interdictory proclamation of the late President. It was matter of satisfaction to the British government as expressed by their minister here, that the quality of hostility in the exclusion of her vessels was taken away by the non-intercourse law. Have we promised, in the negociation which has taken place, that we will commit an act of hostility against France for the boon which we have received from the hand of Great Britain? No, sir.—And yet, if we take the definition of Mr. Canning, as to excluding the vessels of one belligerent and receiving those of the other, according to the mode proposed by the amendment, without the sentence moved to be added to it, it will in fact be agreeing to go to war with France. According to the opinion of Britain, promulgated not only to this government but to the world, according to the demonstration made by the British government, you will undertake a measure of active hostility against France—for what? For any great boon that this government has received from the hands of Great Britain? No, sir. If all the promises were fulfilled to their full extent, we should then receive but justice at her hands. It was acknowledged too in the discussion which took place, that any nation, particularly a neutral nation, has a right to exclude the armed vessels of both belligerents; but that, on the contrary, the state now proposed to be produced, the exclusion of one and admission of the other, is an act of hostility to the party excluded. As I would not be compelled by the utmost ill usage by either belligerent to take part with the other against that one, neither will I take a consent or refusal from one or the other to do us justice as a motive for alliance or a war which shall compromit our neutrality. I now speak of both, for both have used us as ill as was in their power. As kicks and cuffs have not compelled us to take part with them, neither shall caresses or fawning, for we will mete out an equal measure of justice to both. I consider the state of things produced by the non-intercourse as totally distinct from that produced by the proclamation of our late illustrious President.

But it is a little extraordinary that we are called upon to volunteer, in this business, in what, according to the doctrine of the British diplomatists, is war against France, without any requisition made by the British minister here, or any hint given that this step is necesssary or proper. I have seen none such, and therefore conclude that there has been none. And, in point of candor, if the treaty-making power does suppose that it will be of advantage that this step should be taken, it would be right that we should hear from him. As we have not heard from the President on this subject, it is a fair conclusion that he does not suppose it will be of advantage but of disadvantage to him.

Another thing, sir. The British minister's not applying in form might thus be construed. We know that he (Mr. Erskine) is an honorable gentleman, one who will act with the utmost candor towards this government. Now as some nations are in the habit of using Grotius, Puffendorff and all the other writers on public law as engines of diplomacy, in fact, of using vellum, parchment, paper and books for the purpose of producing friendly arrangements with those governments with whom they come in contact, so other nations will use a different mode. And if the British minister recollects the course of conduct pursued by one great nation in their manner of managing diplomacy, it would be very candid in him not to ask you to produce such a state of things as his government might take advantage of. I believe, if he knew that such was the mode in which the pending negociation was to be carried into effect, that he would not ask it. I am sure he would not.

I think it is the best way to continue things precisely in the state in which they were when the arrangement was made; and that more cannot be asked, either as respects the justice due to G. Britain or fair play to the officer managing the negociation.

Mr. Fisk.—It was my intention not to have troubled the House with any remarks on the bill now under consideration. I could readily have reconciled it to my feelings to have given a silent vote in favor of the bill, had not so many and various objections been made against it. But as it seems to be objectionable and susceptible of so many amendments in the opinion of so many gentlemen, the House will indulge me, while I offer the reasons which will govern my vote.

This bill, for which we were convened, has, during the time we have been here, received as yet but a small portion of our attention; and it is so important that upon its passage and the principles it shall embrace may depend the destinies of our country. It deserves our immediate and most serious attention. I hope it may be coolly and dispassionately examined, and treated according to its real importance. Its principles have been carefully and scrupulously investigated by the committee who reported it, or a bill similar in its provisions, of which committee I had the honor to be a member.

The language is plain—public ships are not interdicted. There is but one question to be decided in disposing of this bill, and that is respecting public ships—for I believe all will agree to renew the non-intercourse act as respects France. The question is, what regulation shall we make respecting public ships, and one of three courses is to be pursued? Shall we exclude both, admit both or discriminate?

There are many who would be willing to exclude the armed ships of every foreign power from our harbors and waters. And considering what we have suffered by admitting them, it may be well questioned whether it would not be the best policy of this nation to interdict them by a permanent law; yet many gentlemen object to this, as being inexpedient at this period. It is said, and it is the principal argument urged against it, that it might embarrass our impending negociations with Great Britain to interdict her public ships by this act. As I feel as much disposed for an amicable adjustment of our differences with that nation as any member of this House, and would be as unwilling to embarrass the negociation, I would not insist on this interdiction.

It is also said that England has made reparation, or agreed to make reparation for the aggression which caused the interdiction of her public ships—and that as the cause no longer exists the interdiction should cease. *Be it so*—and may we never have fresh cause to renew it!

But, say gentlemen, we must not now recede from the ground we have taken with respect to France, we must discriminate. Let us for a moment view the ground we have taken—not only as relates to France, but England also.

We are not at war with either of the belligerents. Our ministers at their respective courts are endeavoring to negociate, and by negociation to obtain redress for the injuries of which we complain—and whatever precautionary measures we might adopt, would not be deemed a violation of our neutral character so long as those measures were equally applicable to both the belligerents. We could not be deemed to have taken part with either to the prejudice of the other while no other was benefted by our measures. While British public ships were interdicted, and our embargo existed, an offer was made to both the belligerents to resume our trade—the same equal terms were tendered to both. The nation refusing is left without a cause of complaint against us, for resuming our trade with the nation accepting the offer.

Before either nation does accept, America changes her position. The embargo is abandoned and a general interdiction of the public ships of England and France, and a non-intercourse with these nations and their dependencies is substituted. By this non-intercourse act, the particular interdiction is merged in a general regulation. This was to exist until the end of the next session of Congress only. This was virtually saying, that the Proclamation interdicting British public vessels from our waters for a particular aggression shall be revoked; and a general municipal regulation, over which the President shall have no control, shall be substituted in its stead. It was then, in order to preserve our neutral character, necessary that this rule should embrace both the belligerents. It may be said, and has indeed been frequently said, that the reason of extending this restriction to France, was her having burnt our vessels and imprisoned our seamen. But never, at least in the history of diplomacy, have cause and effect been more distant and unconnected. France on the high seas burns our vessels, and in her own territories imprisons our seamen. We, at the distance [illegible] thousand miles, interdict our [illegible] waters to her public ships, which [illegible] not or dare not come within 500 leagues of the line of our interdicted territory, and this is to retaliate for the aggression. Can this interdiction be defended on this ground? It cannot. There must have existed some other reason. It was to preserve our relations with the belligerents in that state, that should be consistent with our professions of neutrality. Had the interdiction been confined to British vessels, by this law, what would G. Britain have said at this discrimination? In vain might we have told her that we meant to preserve our neutral character, and not take a part with her enemies in the war against her. Our acts would have been directly opposed to our professions. With this discriminating permanent municipal law, could we expect G. Britain to treat with us as a neutral? If we did, we should be disappointed. If then it be inexpedient to make this discrimination against G. Britain, how is it less so, when directed against France? We are to admit British and exclude the French. And are we to endeavor to negociate as neutrals with France, upon this ground, with any reasonable prospect of success? It is desirable that the commercial intercourse between this country & France should be restored. Peace and free trade is the interest and the object of America. While we throw wide open the door of negociation to England, why should we shut it against France? While we facilitate negociations with the British, why should we embarrass and prevent the same with the French? I wish to leave the Executive and treaty making powers of our government free and unshackled, to enter on negociation with both these governments, under every advantage of success which we can give. On what ground can this discrimination be defended? You adopt this measure. Our minister at Paris is requested to explain it. Is there any advocate for this discrimination in this House, who can conceive the grounds upon which our minister or our government are to justify this measure with our relations of neutrality? It cannot be defended. I am not for yielding to either nation, but let our conduct be consistent, impartial and defensible. If then, we are to be involved in war with either, the resources of the country, and the hearts of our citizens will support the government, and we need not be afraid of the world. But those men, or that administration that will upon a mere useless punctilious point of etiquette commit the peace and happiness of this country to the ravages of war, will meet the indignation and feel the vengeance of the intelligent citizens of the country. This temerity would meet its merited punishmeet. The people of America can see and will judge for themselves—they can readily discern the difference between shadow and substance——they are neither to be deceived or trifled with, especially on subjects of such immence moment to their liberties and happiness.

Let me ask gentlemen what possible benefit is to result to this country from this discriminating regulation—is it to keep the scene of naval action at a distance from our territories? During the late wars no naval engagement has taken place between these powers within our waters, unless it was the combat between the Ambuscade and Boston in 1794, off N. York—none is to be apprehended. As well might we apprehend that the continental powers would make Louisiana the theatre of action. It cannot be required to secure us from a danger so remote as renders it a subject of neither fear nor probability. Is it to prevent tresspasses and aggressions? Let those who have seen the public ships of France on our coast during the late revolutions, say whether danger is really to be apprehended from this quarter, especially when we reflect on the state of her naval force. For what purpose is it then to be adopted? No good can, but much evil may result from it. Will any one say that our relations with England require it? None acquainted with the views that government has of the subject can say so. America complains of the restrictions of her trade, by the orders and decrees of the belligerents.—France and England retaliate upon each other this system of restriction, and both call on America to resist—but how? By interdicting our waters to their public ships? No truly. To restrain this unwarrantable system of warfare, by those means which we command, and which may operate upon the interests of the aggressor—what are these? Interdicting their public vessels from our waters? No. How would this affect France? She has no occasion for our hospitality. It never could be considered an object with her, that we should deny to her the use of that which was neither asked for nor wanted by her. This measure could never be