

Resolved, That this resolution pass.
Ordered, That the Secretary desire the concurrence of the House of Representatives in this resolution.

A message from the House of Representatives by Mr. Lambert in the absence of Mr. Beckley their clerk detained by sickness.

“Mr. President—The House of Representatives do not concur in the resolution sent from the Senate, to carry into more complete effect the resolution directing an embargo.”

“They have passed ‘‘ A resolution to carry into more complete effect the resolution directing an embargo; in which they desire the concurrence of the Senate.’’
And he withdrew.

The Senate proceeded to the consideration of the last mentioned resolution, sent from the House of Representatives for concurrence.

Resolved, That the Senate concur therein.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this resolution.

The bill to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States, was read the third time.

On motion.
It was agreed to amend the bill by inserting ‘‘ two thousand’’ in lieu of ‘‘ one thousand dollars.’’

On the question, shall this bill pass?
It passed in the affirmative—Yeas 13—Nays 8.

The yeas and nays being required by one-fifth of the Senators present.

Those who voted in the affirmative, are Messrs. Bradford, Bun, Butler, Cabot, Gunn, Hawkins, Jackson, Izard, King, Martin, Monroe, Morris and Taylor.

Those who voted in the negative, are, Messrs. Bradley, Brown, Ellsworth, Frelinghuysen, Langdon, Livermore, Robinson and Strong.

So it was
Resolved, That this bill pass, that it be engrossed, and that the title thereof be, ‘‘ An act to make provision for the widow and orphan children of Robert Forsyth who was killed in the service of the United States.’’

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate adjourned to 11 o'clock tomorrow morning.

Congress of the United States.

House of Representatives

Thursday, April 14.

Mr. Swift's observations upon the resolution introduced by Mr. Clark, to prohibit the importation of the manufactures of Great Britain and Ireland, till satisfaction should be made for the spoliation on our commerce—for the negroes carried away contrary to the treaty of peace—and till the western posts be given up.

[CONCLUDED.]

Mr. SWIFT observed, that while he considered negotiation to be attended to by all nations—he had particular reasons to wish that it might be adopted by the United States—He wished that this Republic might establish and act upon a principle which was calculated to bring national disputes to an amicable accommodation and prevent the calamities of war.

Mr. S. then remarked upon some particular objections to the resolutions—He said that the surrender of the western posts and payment for negroes carried away contrary to the treaty of peace was a subject of controversy that had no connection with and ought not to be connected with the spoliations committed on our commerce; and was calculated not only to prevent the obtaining of that compensation to which our merchants were entitled but to cut off forever all commercial intercourse with Great Britain. It is a well known fact, that Great Britain has charged the United States with being guilty of the first infraction of the treaty and that the United States have retorted the charge. While they seriously believed, that we were the first violators of the treaty—what would they say to an act of the legislature which renounced all connection with them, unless they would fulfil the terms of a treaty which they considered themselves to be discharged from, by our first violation? Could it be expected, that they would comply with terms so

haughty and insolent? Could any person suppose that the proud nation of Great Britain, would humble themselves before us in this manner? Would they not consider their national honor to be affected, and abandon all connection with us before they would submit to terms so humiliating and degrading?

Mr. S. remarked, that he did not mean to say, that the United States first infringed the treaty—for the purpose of his argument, it was sufficient to say,—that Great Britain thought so, and such being her impression the same consequences would follow as if such was the fact—And the dispute respecting the western posts, which could be of but little importance to this country, might forever interrupt a commerce which was of the greatest importance. He did not think that the western posts were worth so great a sacrifice.

If this resolution be adopted, we cannot recede in honor unless there be a compliance with every article. It may then happen that a dispute respecting some trifling subjects may prevent a restoration of that commerce which will be of great and important value: But if we do not in the first instance give them our ultimatum we may discover the terms on which they will negotiate, and then it will be in our power without any embarrassment from an antecedent law to consider what is best to be done, and make any concession that our interest requires and which is compatible with honor.

If Great Britain should be disposed to negotiate and comply with the conditions we offer, such is the nature, variety and extent of our disputes, that the discussion and adjustment of them would require so great a length of time, that the loss arising from the interruption of our commerce during that period, would be of greater consequence than the objects of dispute—For if this measure be adopted we must expect a total interruption of all commerce with all parts of the British dominions, as relative to exports as well as imports, for tho' the resolution only contemplated the prohibition of manufactures from Great Britain and Ireland—yet, we might be satisfied, that Great Britain would not give us a trade that was profitable only to ourselves.

Mr. S. observed that we ought to consider that if this proposition should be adopted what great alterations would take place in the value of property; foreign articles would rise, and domestic—fall. An immense profit would accrue to the owners on the spring goods which might arrive before it was intended that the act should commence its operation. There could be no doubt but that in a short time a variation in the value of property contrary to the interest of this country would take place to a far greater amount than all the spoliations which had been committed on our commerce. Merchants who had large quantities of goods on hand, would profit by the measure, and the agricultural part of the community would be obliged to sustain the loss.

It had been suggested that the people were anxious for the measure. It was probable, that some, who had a particular interest to serve, by the interruption of trade, were in favor of it; but the most considerate part of the community, were by no means of that sentiment. But let the popular opinion be what it would, too much had been said about it. We are not to be influenced by such considerations, but are only to regard the public welfare. That we ought to guard against all popular influence as being of the most dangerous tendency—That there was no danger to be apprehended from the government—that it had not the power, and had never shewn any disposition to encroach upon or oppress the people—that the only danger that exists is from the encroachment of the people on the government, and if the government ever does fail, it will be owing to the too great prevalence of a local popular influence, which does not speak the general sense of all the community.

But if this resolution should be rejected and a negotiation pursued, it will be accompanied with an implied declaration that if it fails, the United States will take proper steps to obtain redress which will have all the influence to enforce and facilitate a negotiation that can be derived from this measure, unembarrassed with any of the inconveniencies. If the negotiation should fail we can have recourse to this measure with the same efficacy then, as now, and it will produce the effects—for our commerce must be as im-

portant to Great Britain at the end of six months as now.

It had been suggested that the opposers of the resolution were under British influence and interest. Mr. Swift did not intimate that any gentleman of the committee had thrown out that idea, but he said it was a popular opinion, and very prevalent. He remarked that the charge was unjust, cruel and unfounded—that for himself, he felt no influence—he stood on American ground, and was influenced only by American feelings. He did not advocate any commercial connection with Great Britain from any regard to that nation, but merely from a regard to his own country, whose interest he conceived to be promoted by that connection. He remarked, that some, who were considered as British agents, had boasted of their influence in the legislature. He declared that no such influence existed—and that he most heartily despised those persons, who had the effrontery to pretend that it did exist.

Mr. Swift remarked, that a popular opinion in some parts of the Union had been prevailing, that many of the Representatives in Congress were under such an influence arising from the funding system, that they dared not adopt measures necessary for the public defence for fear the interest of the national debt should remain unpaid. He said that a most unreasonable and unfounded jealousy respecting the funding system existed among the people; that he was satisfied, during the time he had held his present office, that no measure had been influenced by an exclusive regard to the public debt; that he had never owned a farthing in the public funds—but he considered that let whatever events take place, the national debt must be paid; that if it were necessary he would vote for a land tax for that purpose, for he considered the faith of the government pledged for the payment of that debt, and he would never violate the national faith; such being the security of the debt, none of the holders had any reason to apprehend a failure of payment, and therefore none of the committee could be influenced by an apprehension of the failure of payment.

Mr. Swift said that we ought to consider the tendency of this measure to a war. Many of the friends of it had denied this, and declared that they considered it to be a peaceful measure—but will all say this?

A gentleman from New-Jersey (Mr. Dayton) has said that he is in favor of it—because he considers it to be a stepping stone to the threshold of sequestration. Mr. Swift said that he respected the virtues and the talents of that gentleman; he believed his integrity to be unimpeachable, and that he acted from the purest motives—that he did not wish to wound his feelings, but that he was bound in duty to express his sentiments respecting any proposition he should make; he considered the proposition of sequestration as connected with this measure by what the gentleman himself had said, and from thence he derived an argument against it: He had said that this resolution was the stepping stone of sequestration; if that be true, Mr. Swift said he should step on this stone with horror and indignation; he should consider it to be the step stone to the temple of infamy, wretchedness and ruin; he considered that it would not only involve his country in disgrace, but in all the calamities of a war.

He said that gentlemen ought to unfold the whole system of their measures with their object and design, and not deceive people into measures which they would reprobate if they knew the consequences; that he believed while there were gentlemen who had nothing but peace in view, that there were many who intended to defeat a negotiation, to dissolve our commercial connection with Great Britain forever, and who were willing to plunge us into a war with that nation. If gentlemen had not that design, let them come forward and declare it; but while there was reason to suspect such a design, the gentlemen who were in favor of the resolution under consideration, but intended nothing more, ought to be cautious how they adopted a measure that would lead to the most mischievous consequences.

On a full consideration of the subject, Mr. Swift said that he was convinced that this measure would lead to a war; but if a fair negotiation should be attempted, he had no doubt but that all controversies might be settled, ample satisfaction obtained, commerce restored, and that our country would continue to flourish and prosper.

April 17.

A resolution proposed some days since for the continuation of the embargo, was taken up in committee of the whole, Mr. Sherburne in the chair.

Mr. Lee made a motion for excepting foreign bottoms from the operation of the embargo.

This motion was supported chiefly upon the grounds; that the agricultural interest suffers by a general embargo; that the chief intention of the embargo is to keep American navigation from the grasp of rapacity, and this end will be as fully answered under the operation of the amendment.

Against it, it was urged, that the distinction will excite a jealousy in the breast of our citizens—will tend to deprive us of our seamen, who will engage, for the want of domestic employment, on board of foreign vessels, and also strip us of some portion of our vessels, by rendering foreign bottoms much more valuable than American. It was also said, that one object of the embargo will be frustrated by the amendment—the fasting of the British Islands. Such a discrimination, will render an embargo instead of an act calculated to repel an aggression and prevent future injury, an encouragement to insult, by encouraging foreign trade in preference to American. The amendment was lost.

Another amendment was proposed to enable merchants, under certain restrictions, to send dispatch boats to the West Indies, in order to comply with the forms requisite to lodge, within the limited time, appeals from the Admiralty courts of the British islands. Several attempts were made to guard the provision so that it should not be a means of evading the embargo. This appeared, finally, not to have been done to the satisfaction of a majority, and upon its being suggested that the renewal of the general embargo resolution was a measure that did not admit of delay, and that the provision proposed might be considered at another time separately—The question was taken and the amendment lost.

The original resolution was agreed to by a very large majority, and reported to the house, where it was immediately taken up.

It was suggested, that Sweden by treaty is positively exempted from the operation of embargoes, and that if this be the case, France, Holland, &c. who have by treaty the privileges of the most favored nations, are also exempt, and they should be positively exempted in the resolution.

It was answered, that treaties are the supreme law of the land; and cannot clash with a resolution of Congress. However, it was conceived, that the provision in the Swedish treaty is not altogether clear, and at any rate can only entitle them to carry away their vessels, but not to export our produce against our will—for in that case our every attempt to lay an embargo might be baffled by those foreign nations.

A proviso, however, was adopted, expressly excepting from the operation of the embargo nations exempted by treaty.

Another proviso was then adopted, to enable merchants to send dispatch-boats to any of the West-India islands, for the purpose stated above. The resolution was then carried—the 25th May being the term limited for the operation of the embargo.

The committee of ways and means reported, and after some further business the house adjourned.

April 18.

The report of the committee of the whole on Mr. Clark's resolution for a non-importation of British goods was called up.

After much debate the question on taking the report up was put, and the yeas and nays being called for were as follows:

AYES.

Messrs. Armstrong, Bailey, Baldwin, Beatty, Blount, Carnes, Christie, Claiborne, Clark, Coles, Dayton, Dearborn, Dent, Findley, Giles, Gillespie, Greenup, Gregg, Griffin, Grove, Hancock, Harrison, Heath, Hunter, Irwin, Locke, Lyman, Macon, Madison, M'Dowell, Mebane, Montgomery, Moore, P. Muhlenberg, Nevil, New, Nicholas, Orr, Page, Parker, Pickens, Preston, Rutherford, Scott, Sherburne, V. Cortland, Venable, Walker, Williams, Winn, Winflow, Smilie, J. Smith, I. Smith, S. Smith, Sprigg, Treadwell,—57.

NOES.

Messrs. Ames, Boudinot, S. Bourne, B. Bourne, Cadwallader, Cobb, Coffin, Coit, Dexter, Fitzsimons, Forrest, Foster, Gilbert, Gilman, Glen, Goodhue, Gordon, Hartley, Heister, Hillhouse, Hindman, Holten, Kittera, Learned, Lee, Malbone, Murray, Niles, Sedgwick, W. Smith, Swift, Talbot, Thatcher, Tracy, Trumbull, Van Allen, Van Gaaf-