

POETRY.

BRITISH DIAMONDS.

Through the mines of India... And their beauties superlative prove...

WASHINGTON LOTTERY, No. II.

LIST OF PRIZES AND BLANKS.

Table with columns for No. Dols. and lists of prize numbers and amounts.

Valuable Books.

A new importation from London, just received and now opening and selling by J. ORMROD, No. 47, Chancery-lane.

For Sale or Charter, The Schooner Fair American, Virginia built—burthen about 700 barrels flour—two years old—and can be sent to sea immediately.

Southwark Printing-Office, No. 204, South Second-street.

Encouraged, Timothy Mountford, will publish from this office, a newspaper, entitled, The Southwark-Gazette, and Philadelphia Register...

He will send papers on the morning of every Thursday and Saturday, to such places as his subscribers shall direct.

The price of this Gazette will be Four Dollars per year, payable as follows: One dollar when called for—one dollar at the expiration of six months—and one dollar at the end of every subsequent term of three months.

Literary essays will be gladly received and inserted gratis—Advertisements at the usual rates.

Subscriptions will also be received by the following gentlemen, viz. Messrs. Young, Mills & Sons, Thomas Dalton, John Ormrod, William W. Woodward, and Samuel Richardson, Merchants' Coffee-house.

Dutch Gunpowder. A quantity of the best Dutch Gunpowder for sale by Samuel Breck, jun. No. 89, South Third-street.

Hzekiel Hall HAS removed his Compting Room to Jones's Wharf, where he has for sale 24 hogheads Cod Fish. A store to let, In Water-street, between Market and Arch-streets.

For Sale, By Samuel Breck, jun. at s Compting-house, No. 89, South Third-street. A quantity of the best Boston mutton in whole and half barrels, fit for ship's use.

For sale, or to be let, A new three story brick house. AT the Merchants' Coffee-house, on Friday next, the 2d of June, at 8 o'clock in the evening, will be sold by public vendue, a genteel three story house.

Richard Footman & Co. Auctioneers. Doctor Perkins INFORMS the citizens of Philadelphia, that he has taken lodgings for a few days at the sign of the Indian Queen, South Fourth-street.

Patent Metallic Points; And will operate gratis for the relief of the poor at his lodgings, where he has for sale the instruments, with the necessary instructions for using them.

For Sale, TWO LOTS OF GROUND in Kensington, on the fourth side of Hanover-street, containing thirty-six feet in breadth and one hundred and sixty-seven and a half feet in depth to a twenty feet alley.

CONGRESS.

HOUSE OF REPRESENTATIVES.

Wednesday, May 24.

(Mr. SWANWICK'S Speech concluded.)

As to the spoliation, they doubtless are also causes of just complaint from America; but while they are equally continued to this day, by England, Spain, Holland and France, we ought to go to war with all these powers; if we mean to attack any on this score—for surely, the groans of our seamen, so emphatically heard by a gentleman up before me, from Massachusetts, are heard as distinctly from Cape Nicholas Mole, as from Cape Francois, and ought to rouse equal indignation, unless we have ears to hear for injuries from one quarter only.

He thought, indeed, it would evince our spirit to go to war with them all, and by that means retaliate upon each the injuries we have received from each. But nothing was said about the spoliation of the British. The British take property bound to France in pursuance of the treaty; and the French taking advantage of the stipulation made in the British treaty, that "free ships do not make free goods," take our property bound to English ports.

So that this is the ground upon which all our difficulties rest. Upon the admission to take, lies the evil; for, a French privateer meeting an American merchantman, says to him, "You have English goods on board." He answers "no," but the vessel is taken into a French port, to undergo a trial, and in the mean time the engagements of the merchant become due, which being unable to meet from this failure in the arrival of his vessels, he is ruined. The fact is, that while the war lasts, we will the spoliation in spite of every thing we can do to the contrary; not because the nations at war are just, but because they are powerful—and use that power only as suits their own interest without reference to our grievances or complaints.

For this there is no remedy but an embargo—since nothing short of this can prevent the captures complained of, and this remedy has been thought worse than the disease, since it puts a stop to all commerce, and must tend to lower the prices of all our produce; we must therefore, he presumed, leave trade to regulate itself in this respect.

Although it may be incidentally observed, that our European and China, and East India trade have been hitherto preserved pretty free from violation. We have suffered most in the West Indies—but here it is to be remarked, the French republic have no decided power, their islands are governed by a provisional agency, who are obliged to keep the blacks and mulattoes in good humor in order to preserve those possessions, and who are so little under the controul of France, that they have frequently shipped back to them the generals and commissioners, they have sent out to them. In the West Indies, in fact, all is plunder, the age of the Buccaneers is revived, and even exceeded, and those who go thither must trust for safety only to their heels; for as to arming them, I doubt much whether we could prevent this being made a pretext for fitting out more privateers and from among ourselves, who perhaps, according to their different interests, would, under pretext of defending commerce, only be committing spoliation on each other at sea—War might increase the quantity of deprivations, but I doubt, if by this measure, we could safely repress or controul them sooner or later it must lead us to the calamity we all wish so ardently to avoid, the positive evils and misfortunes of war.

But it is stated France wanted to divide the people from the government, and to influence it unduly; and this has been compared to dividing us from ourselves; as if we wanted to tear the arms from the shoulders, the legs from the thighs, or the head from the trunk; this is surely too absurd for any government to have intended, and could never be expected to succeed, unless indeed measures were to be taken by the government, oppressive and injurious to the people; in which case we have often seen this effect produced in other countries, not so much however from foreign faction or influence, as from domestic oppression or discontent. A general clamor was indeed raised against France, in Europe, as if she were the enemy of all social order and government; but the fact is, their governments would never have been affected, but in proportion as they were intrinsically bad and oppressive. In this country, the people love the government because they are happy—keep them so, keep them as free as possible from taxes, embark them in no unnecessary wars or troubles, and you need never fear the effects of any foreign influence on them.

and the measures which he should suggest, whether he was or not, equally disposed with others to promote the peace and honor, the happiness and the security of this country and government; he would leave it for his measures to speak for him, he would not be led away by any idle or extraneous vanity from objects so solemn and important, he should speak freely as became an American at a crisis so very pressing. First, then, he should notice the address that was before the committee and the amendment proposed to be made to it. He was sorry to observe the manner in which they had been discussed; it had been considered on one side that to adopt any language in reply to the address but that which has been laid before the committee in the report, would amount to a surrender of all our rights, privileges and independence as a nation, to France; on the other it had been held that the differences between us and France are distorted, and that we should at least not shut up every avenue to negotiation, by an obstinate and blind assertion of our own infallibility; if he believed with those of the former opinion that we should in any shape incur the stigma of degrading ourselves, or if he suspected even that we should sacrifice one right of our country or government by an adoption of the amendment proposed, or he thought we should not endanger our national character and safety by the adoption of the report, he should most certainly reject the amendment and adopt the report; or if he believed with the gentleman from Massachusetts (Mr. Otis) that the demands of France now were any-wife analogous to those of Great-Britain on a former occasion, sooner than consent to a dereliction of our independence and national character, he would not stop short of the language of that report; but as he could not force his judgment to so outrageous a misconstruction, as he saw on the contrary numerous reasons to entertain a very different opinion, he would not consent to incur the perils and the errors in which the report may involve us; he could not consent to so hastily, so precipitate and inconsiderate a step.

The question properly before the house at this time, is, whether we shall continue to express our perfect reliance on all the acts of our own government, whether we shall fall obligately to France that there is no possible case in which our judgment could have been misled or mistaken in our conduct towards her, and by determining to adhere to our former conduct, preclude every possibility of an amicable adjustment; or leave a reasonable opportunity open for an effectual discussion and adjustment of differences, wherever they may subsist.

The scope of the speech of the President to both houses, it must be confessed, goes to bind us to the former conduct, and it is too evident that the report, in strict coincidence with the sentiments of several, but not all its supporters, bears that same dangerous tendency; from which line of conduct are we to expect the most beneficial issue, to treat with a complaining power by a determination to shew that its complaints are groundless, or by examining the complaints and the evidence in amicable negotiation and deciding afterwards; let us examine all the complaints of France and then determine whether they are all so frivolous as to excite irritation at the mere mention of them; unless we are thoroughly satisfied that they are so, we cannot vote the answer as it is reported; should we discover in such an examination that some of our measures have been founded at least in mistake, would it then be proper to adopt the language of the address; but should we persist under such a possibility of mistake, what do we risk, an evil much more fatal than the worst that could follow the most sober resolution we can now adopt; we risk the alternative of abandoning it after a war in which we may be sufferers, and after we may have retarded the increasing prosperity of our country half an age; we have an example before us in a nation that was eager to snatch at a remote pretext for an assumed interference in her government, we have seen that nation among the most powerful and haughty in Europe, the most vain of her dignity (real or unreal) the most apt to interfere in the government of others, we have seen her enter into a war, and we have seen her driven to the lowest state of humiliation, we have seen her obliged to pursue the most abject means of solicitation to obtain a peace from that very nation whom she had irritated to a war—and we saw her more humiliated still by the rejection of those propositions which she had made to obtain peace. Have we a better prospect than that nation? Are our means equal to hers? are we indeed ready to embark in a war, with France too, and present such a lesson to the world as America at war with France, after France has defeated the efforts of all the world? He again asked, have we the means? Let gentlemen who are willing to plunge us into that dilemma make the reply; but let not gentlemen indulge in so hateful a picture; but although we have no means, he was still against surrendering the honor of our country. Fortunately no such sacrifice is demanded, no such measure is necessary; and were we ten times more destitute even than we are, he should never submit to our national degradation, were there a power so insolent as to expect it.

It has been often observed, that the people and the government are one; but if the representatives were compelled to divide, even tacitly an answer, by a majority of one or two votes, will this carry an idea of unanimity? Had we not better modify the answer in such a way as may produce a more general acquiescence in it? This will give more true dignity to our proceedings, and give a proof that we are governed by reason more than by passion, by the love of our country, rather than by any other consideration.

Mr. Livingston having listened to the several gentlemen who had preceded him, with the most respectful attention, and heard their ardent expressions of patriotism, and the lively sense which they entertained of the true dignity of our government, he should not attempt to follow them into a field which they had exhausted, but would leave it to the consideration of the committee and his country to determine upon his sentiments

fair and candid discussion, such as may convince whichever may be the mistaken party? It was he knew a very ungracious, and often an unpopular talk, to display the errors of our own government; there was a national vanity, a vain and unmeaning pride, which sought to be bolstered up by frippery of words, and acts of dissimulation, he knew that this empty and pernicious vanity often assumed the post and place of the true dignity of a country, and blinked contumely on him that was disposed to prefer the plain, frank, open path of integrity and truth. He would chafe between these opposite passions of a nation, and preferring his duty to the apprehension of unmerited reproach, he would neither repress the sentiments of his mind, nor foster those which he conceived to be pregnant with ruin; he would glory more in promoting the justice of his country, than in conducting her to the most brilliant triumphs in an unjust cause. He would therefore calmly examine whether France had just cause of complaint; and whether she had or not a just cause, he would assert that France might without exciting indignation, think herself injured; that she might, was a sufficient reason with him for preferring the amendment, as it left an opening for rather amicable discussion and accommodation, than the report, which had an opposite character.

In enumerating the complaints, it was very true, that France had preferred many which were not in themselves reasonable or well founded; but there were circumstances in which France was liable to mistake as well as ourselves; the objects presented themselves in a delusive or adverse form, and it was a subject rather of regret, which we should use as a warning to our own judgments than a crime in her, if she acted in the same way that she should do when under the conviction and certainty of her rectitude; when she was unconscious of her error.

The first object of her complaint was the interference of our courts in prize causes. Was there no color of complaint on this subject? He did not mean to enter into any particulars of the cases that came before, or the decisions in our courts, he only alluded to the 17th article of our treaty with France, upon which she grounded this subject of complaint, "that it shall be lawful for the ships of war of either party, and privateers, freely to carry whithersoever they please, the ships and goods taken from their enemies, without being obliged to pay any duty to the officers of the admiralty, or any other judges; nor shall prizes be arrested or seized, when they come and enter the port of each party; nor shall the searchers or other officers of those places, search the same or make examination concerning the lawfulness of such prizes; but they may hoist sail, at any time, and depart, and carry their prizes in the places expressed in their commissions, which the commanders of such ships shall be obliged to shew; on the contrary, no shelter or refuge shall be given in their ports to such as shall have made prizes of the subjects, people, or property of either of the parties; but if such shall come in, being forced by stress of weather, or the dangers of the sea, all proper means shall be vigorously used, that they go out and return from thence as soon as possible." Every gentleman must feel, that the latitude of this article was indeed very wide, so wide that not even a searcher was permitted to go on board, nor an officer of our admiralty entitled to a fee or duty nor any other of our judges; ought we to be surprized, that a nation imperfectly acquainted with the detail of our municipal regulations and official duties, should differ with us in the construction of this article, after our detention of their prizes, in the discussions that have taken place already on this article; the difference of interpretation is not at all surprising; they have said to your courts, we allow their due jurisdiction, but as treaties are supreme laws, our prizes should not have been suffered to enter your courts; according to this article, you subject us to tedious delays, nor involve us in litigious suits, but your Executive should have decided in a summary way, and not kept our armed ships idle and expensive to us; he would not say that in this construction France was right, or that our courts were wrong, far from it; all he wished the Committee to consider, was whether France might not without great violation of reasoning conceive herself right, and accordingly claim of us such an explanation as might place us clear of any suspicion of designed wrong, towards her in violation of that treaty.

The second complaint was our admission of vessels hostile to France, and that made prizes, into our ports, contrary to the last part of the same article; and France had also construed this one way and our Executive another—but was a mistake a cause of hostility? should the mistake be ours, would France be justifiable in hostility merely on account of the mistake; and should we be any more justifiable to risk hostility, rather than enter upon discussion. Another cause of complaint was the conversion of our neutrality into an injurious hostility, by our indifferent suffering of the imprisonment of our seamen by Great Britain, by which her enemy became possessed of our force and employed them against her, while we were on terms of the most intimate and friendly alliance, and they were embarked in a cause common with our own; they complain of this indifference very strongly, and it must be acknowledged that no open interference took place on our part upon that serious subject to ourselves, and important to us as a neutral nation, until the latter end of 1796, except a few lines from our minister, Thomas Pinckney, in a letter to Lord Grenville in the summer of that year; from long a silence on such a subject, was it surprising that France should entertain doubts of our disposition to preserve our neutrality, was it surprising that she should consider some hidden but unaccountable change having taken place in the attachment of the U. States; was it surprising, or a matter calling for hostility on our part, that she should con-

sider this conduct connected with the corresponding arrangements made with Great Britain, in a time of war, as pernicious to her.

Under the main object of the British treaty, which is one of the complaints of France, there are several subordinate parts; the first is that of the abandonment of that principle of the law of nations which secures the freedom of trade by establishing the neutrality of goods carried in free ships; he would not dwell largely on the immense advantages which neutral nations, but above all others our own, would derive from the complete and universal recognition of that just principle; but he would recommend it to the consideration of every candid and unbiased man, whether France had not some ground to consider our proceedings on that subject as alarming to herself;—when she had negotiated upon that valuable principle with us, when we had solemnly recognized it, and had carried the same principle repeatedly into negotiation with other powers; could France see us sacrifice the supreme advantages which our commerce would derive from its maintenance, and that too in the moment of her apparent adversity, could she see this and still be criminal for suspecting a cessation of that affection in our government towards her which she was so indisputably entitled to expect; so contrary to the interests and the ties of treaties, and still be deemed hostile when she demands justice, equal justice at our hands. But he should be told that the principle was not an universal one, that its recognition in the treaty of 1778, did not bind the United States from relinquishing it in any treaty with another nation; he would by and by examine the principle; now he would suffer it to be argued the contrary principle,—that the right of seizure of enemy's property on neutral ships, was the universal and received law; was it the actually received law? Then if it was, how came it to be made a part of that formal negotiation, and to constitute an article of the British treaty? Why introduce it to us unguardedly there it was already the universal and indisputable law? But we had even exceeded that law, for we had admitted the right to carry our ships into their ports merely on suspicion, a concession which was not even presumed to be authorized by any law or usage of civilized nations; a concession which neither went to profit ourselves, nor to ameliorate our condition as a neutral nation—if the principles were even fixed before, was it an evidence of our amity, of our tenacious regard to our own dignity, or of a seriously neutral disposition to conclude these novel modifications, which went to fetter our commerce with the most perplexing shackles.

But let us enquire whether it is seriously the law of nations? and in making this enquiry it is not from patched ideas, half quotations, or scraps of learned opinions parcelled out and botched or subterfuge, that we must decide, if upon this examination we should find reason even to suspect our error, and that we have conceded any thing to Great Britain contrary to that law, it will be surely a substantial reason for us resorting to temperate and liberal negotiation—but on this he would not now dwell, the law of nations is founded on certain usages of nations at various periods, and upon the stipulations of treaties of nations with each other; these laws were either partial or general, and the latter have been the subject of common claim among civilized nations; now in all that has been written on these laws he knew of none, which had received the common assent of all nations, or of nearly all, authorizing the seizure of enemy's property on free ships; the principle had been repeatedly urged, and although it had been often evaded, it had never been disproved, that a ship of a neutral nation should be as sacred as its territory; wherever the flag of a neutral nation waves that should be sacred, and goods seized on board a neutral ship is as much a violation of the universal law as the seizure on the neutral land could be; why is it that belligerent nations are precluded from the seizure of the goods of an enemy in a neutral port, because it would be a violation of the neutral rights; do these rights depart from the citizens of free states upon their departure from their own ports? It is too absurd to expect any other but the plain reply. But if we cannot find the decision in the tomes of the civilian, let us look elsewhere; let us look into the treaties; and here we may obtain some satisfactory rest upon which we may rest the question; prior to the war of our revolution, the treaties of European nations were a series of contradictory assertions and denials of known principles; the same principles were asserted in one treaty of the same nation, which were faceted to partial interests in another; the spirit of monopoly of trade corrupted the current of universal law; and local situation, a temporary fragment, or an ambitious project sealed what the other had negotiated; but in the midst of war, Europe saw arise a combination of neutral powers who were resolved to restore the laws of nations to their primitive principles from the intolerable abuse into which they had fallen; and they declared that principle which no nation ought to deny; Russia finding that the deprivations which the belligerent powers were committing on her commerce, surpassed all bounds of justice, notified to the other neutral powers in her first declaration her purpose to ascertain and fix the principles which neutral nations ought to observe towards those at war and reciprocally, and expresses herself thus—"She does this with the greater confidence, as she finds those principles founded on the primitive law of nations, which every one may have recourse to, and which the best government cannot invalidate without violating the laws of neutrality, and disavowing maxims which they themselves have expressly adopted in different treaties and public engagements;" he did not quote this as his own conclusive authority, although the facts are irrefragable, but because every power in Europe, great and small, weak and powerful—excepting only France—recognized & acknowledged it; but he should be told this is a private compact, and that the agreeing nations did not declare this ought to be the universal law of nations;—Let those gentlemen answer me, is the principle inconsistent with reason and justice, is it natural, is it not the law of nations, is it not binding upon every nation who subscribed to or adopted it?—until gentlemen deny this, I shall fairly conclude that it is the true and genuine law of nations; but it will be said, there is one power which did not agree to that convention, and therefore the agreement of all the rest is invalidated—will this indeed be insisted upon, is it because one haughty, covetous and oppressive nation wishing to monopolize the trade and the power of the whole world, denies that law which alone could restrain her enormous avarice and tyranny, that this one