

Twenty Dollars Reward.

RUNAWAY from the sobers of on the eighteenth of March last, two Negro Boys, named Nelson and Champion, both aged about sixteen years; Nelson was purchased of Mr. W. C. Holt, Norfolk county, Virginia, by Mr. James Cobb, of N. C. and has a very suspicious countenance. Champion was purchased of a Mr. Gooden, near Gates Court House, N. C. by Mr. Willis Hicks, of Duplin County, N. C. He has a very large foot. No general description can be given of these boys as I have not long owned them. I will give the above reward, if delivered to me in Wayne County, or secured and information given so I get them, or Ten Dollars for either.

April 22, 1814.

COACH MAKING BUSINESS.

THE Subscriber respectfully inform the citizens of Raleigh, and the public generally, that he has commenced the

COACH MAKING BUSINESS.

In all its branches, on the lot lately occupied by Capt. Wm. Jones, of this city, 150 yards west of the Eagle Hotel. He hopes from his long experience in business and his determination to please, to meet with a portion of public patronage. His Smiths have been regularly bred to the business, and will at all times be ready to repair, make or alter carriage springs to any pattern, or execute any work in their line. He also has on hand two fashionable carriages, which are made of excellent materials, one of which can be finished in 4 or 5 weeks and the other in two months. The materials on hand are of an excellent quality and in every instance the work shall be done with neatness and durability, inferior to none. Orders from the country thankfully received, and dispatched with celerity.

THOMAS COBBES. 17 41

FOR SALE.

A LIKELY Negro Fellow, about 28 years of age, large, strong and active. For terms apply to the subscriber. WAKE COUNTY, April 25.

ALSEY HIGH. 17



CONGRESS.

HOUSE OF REPRESENTATIVES.

Debate on the Loan Bill.

MR. CHEVES'S SPEECH.

Continued from page 63.

I come now to speak of that subject which was my principal inducement to claim your attention in this debate—I allude to the question of Retaliation. The conduct of the government is not only condemned in this particular, but it is also said we ought not to prosecute the war against Canada lest it should provoke the enemy to give occasion for the exercise of the retaliation which we have threatened. Let us see what foundation there is for this humiliating doctrine. This question is one of the gravest and most solemn character; affecting deeply the honor of the country, the duty of the government and the lives of our citizens. I wish for the last reason, it had been the pleasure of the minority to have passed it over in silence. I think it would have been safest and wisest—I prefer not, however, to dictate the conduct of other gentlemen, but I must be permitted to enter my protest against the doctrines which have been maintained on the other side of the house on this subject. I think, but I wish to be understood as speaking with a proper deference for the opinions of other gentlemen, this subject has been very erroneously considered. It has been made by the combatants on either side to depend altogether on the question of Expatriation, when it has very little and very remote relation to that question. But as the enquiry is one of very great importance, I hope I may be pardoned for discussing it first in the way in which it has been heretofore generally treated, in order that I may draw the subject from thence without any violence to the common mode of thinking, into that point of light in which I suppose it ought to be viewed.

To speak, then, of Expatriation. The right of expatriation, which is broadly and generally affirmed on one hand, is on the other, rebutted in equal extent, by the claim of perpetual allegiance. These may be assumed to be equivalent questions. The affirmation of the one, is the negation of the other—This it may be material to remember, because it will be necessary in the course of the argument, to show that naturalization, which is generally considered as destructive of perpetual allegiance and synonymous with expatriation, is really not so. Perpetual allegiance is alleged to be founded on natural law, the positive law of nations, or the municipal law of each state. We will examine each; and first, the law of nature. To determine what is the law of nature, the simplest way may be, not to embarrass ourselves with equivocal definitions, but to look at things through our best judgments, with a view to discover their just fitness and connection. We may call in the aid and authority of writers of character and reputation and with these lights seek our conclusion. In this view we are able to discover but two principles or pretences on which the duty of perpetual allegiance is affirmed, or the right of expatriation denied—These are, the necessities of the state and the gratitude of the subject. These are the only grounds stated by Vattel, to whom alone I shall refer as my authority for positions of natural and national law, because I can refer to no better authority, the more especially as on the points for which I shall use him, I believe he agrees with all other writers.

The obligation resulting from the necessity of the state, can apply to none but extreme cases—such, for example, as the instance of invasion, or the case of war, when great numbers should suddenly abandon the state—a necessity that neither does nor can exist in relation to the few scattered instances of expatriation which the practice and experience of nations have hitherto exhibited to our view and which form the whole of the instances, about which we reason; nor can it form any foundation for perpetual allegiance in the extent in which

it is claimed; which is not confined to cases of extraordinary character, such as I have mentioned, but embraces every subject born in the country, and is neither limited by time nor circumstances.

The extent of that obligation, which is founded on the gratitude of the subject, must bear some proportion to the benefit that he has received, and the favor that the government has conferred.—Now what benefit has the subject received? When in a state of infancy, he has been protected and permitted to live up to adult years in security and peace.—But has this benefit imposed an obligation which has no limits, which is commensurate with every faculty mental and physical which the subject possesses, and co-extensive with the duration of his life? Those who form a state at given time repay by the services of the time the protection of the government for the same period. The services of the ancestor are a full equivalent to the sovereign for the protection which is enjoyed by his offspring as well as himself, and the son when he arrives at adult age and is able himself to serve the state, is nothing in arrears to the government.—Put the case of any actual society or population. Is not the protection of the government fully repaid by the gross population, including the young and the old, at any given period? The adult it may be admitted owes a debt of gratitude to some one for the care and assistance by which he has been reared, to his parent if you please; but certainly not to the sovereign who, it is seen, has received a full equivalent for the protection which the subject has enjoyed.—There appears, then, to be no foundation for the claim of perpetual allegiance in the necessities of the state, or the gratitude of the subject for the benefits he has received. I will illustrate the argument in relation to the last of these pretences by the case of parent and child. The gratitude due by the citizen to the sovereign cannot be greater in the opinion of those who most revere the obligation, than that of the child to the parent—yet there is no man who would not be shocked at the injustice of the parent who should claim from his child perpetual servitude, as a debt of gratitude for his nurture.

Is there any thing in the general nature of government which will authorize the doctrine of perpetual allegiance? I do not mean any particular government, but government in its essential form. The very argument in which we are engaged seems to furnish the evidence on which we must come to a negative conclusion. It proves, to say the least, that the claim of perpetual allegiance is a question of great doubt.—But the natural right of man as he existed when independent of government, in a state of nature (and though we are not reasoning of men who have ever been in this state, it is fair and necessary, in order to ascertain his actual situation, to advert to this possible state) to go where he pleased and to serve whom he pleased, was clear and undoubted. The state of the fact, then, is this: His original right is clear, but his subsequent obligation is doubtful, and therefore, unless the less shall more than countervail the stronger proof, the conclusion ought to be that he is not bound to perpetual allegiance.

But let us continue the enquiry—is there any thing in the general nature of government which will authorize perpetual allegiance? What is the foundation of the power of government? Is it not clearly and obviously territorial jurisdiction? How else can we suppose it to exist? Government must be located. It must exist within territorial limits. Its basis then is territorial jurisdiction and its authority is co-extensive with its territorial limits and the extension of its territorial power. If we seek for examples, we shall find that its authority ceases where these cease and extends where these extend. In relation to territorial limits, the idea is easily and perfectly conceived; but of the extension of territorial power, it will be necessary to speak and to state the instances, which will at once illustrate the argument and establish the rule.—There is the instance of the territorial jurisdiction of government beyond its territorial limits to the distance of a certain number of leagues from the shore; there is also the instance of ships, whether vessels of war or merchant ships. The idea that has been expressed by the phrase, 'a ship is a floating colony' I know has been lately decided; but it was once an approved and accepted doctrine with those who now so contemptuously reject it. It was no other than this principle on which the celebrated case of Jonathan Robins was decided. This formed the basis, if my memory do not much deceive me, of the argument on that subject of the distinguished man who now presides with so much advantage to the country and honor to himself over, the highest judicial establishment in the United States (Chief Justice Marshall); and it is a principle well established in the law of nations. Nor is there any distinction, in the principle itself, between ships of war and merchantmen; the one has prevailed in practice—a distinction which has grown up lately, and which originated in the prudence of nations. This has established the exemption of ships of war from search; but this exemption is evidently founded on a desire to avoid the frequent hostilities which would result, and not from the mere consideration of the power which distinguishes a vessel of war from a merchant ship. The relative power of a vessel of war carrying a few guns, and a merchantman, to that of a ship of the line, is not materially different. It is not the mere warlike efficiency of a vessel which extends the power of the government, but the emblem of its sovereignty which represents its territorial strength. This extension of territorial power embraces also the armies of a nation—so far as its ships can sail or its armies march, the territorial power of a nation is extended. This doctrine is neither new nor controverted. Vattel agrees with all other writers on the subject, and he clearly establishes all the positions I have laid down.

But the authority of government is circumscribed by its territorial limits and the extension of its territorial power. It seems to result, then, that the law of nature, as it grows out of the moral duties of the subject to the state, or out of the essential nature of government, does not establish the claim of perpetual allegiance. The positive law of nations, which is the next ground on which this claim is to be sustained, is formed of the treaties and usages of nations. These are almost silent. I here are, perhaps, no subsisting treaties or reciprocal usages on the subject; but as far as the past history of nations affords any examples, they appear to be opposed to the claim of perpetual allegiance. It remains for us to consider how far the

municipal laws of nations respectively establish this right. And here I really admit that the municipal laws of England do establish the doctrine. I think, too, that the municipal laws of other nations generally accord with those of England on this subject. I then, at once, concede to the gentleman from New-York (Mr. Grovernor) all that he so zealously endeavored to prove by the learned and able argument which he submitted to you the other day, that the municipal laws of England and of nations generally, enjoin upon the subject the duty of perpetual allegiance. And I admit, farther, that it is of no practical consequence to say that it is neither supported by the moral duties of the subject, nor warranted by the essential nature of government. It is enough to say that it is enforced by the sanctions which secure obedience to all municipal laws; though it be not just, it does not cease to be obligatory wherever municipal laws can operate. But the gentleman from New-York, and those who reason with him, having established the doctrine of perpetual allegiance, at once assume in substance, though not in express terms, a distinct proposition equally necessary to their conclusion, which they have not proved or even attempted to prove—namely, universal allegiance. I doubt whether my meaning in the use of this term may be clearly understood, and therefore I will define it. It is intended to say, that the allegiance claimed is not only co-extensive with the territorial limits and the extension of the territorial power of the natural sovereign; but also goes with the subject into the territories and under the territorial power of every other sovereign under whose jurisdiction he may reside. The argument of the gentleman, it is admitted, establishes perpetual allegiance; but it assumes that this perpetual allegiance is also universal. Now, the latter is denied, & clearly does not exist; he has offered no proof to establish it—and if we recur to the principles which we have already proved, it will appear satisfactorily that it cannot exist. It has been proved that the power of a government is only co-extensive with its territorial limits and the extension of its territorial power. Beyond these it can neither enforce duties nor extend protection. Now, the basis of allegiance is protection; and all legal duties must suppose, at least in theory and in the nature of things, an ability to enforce them; but beyond the territorial limits and the extension of the territorial power of a government, neither of these exist or can, in the nature of things, exist; and, of course, beyond these allegiance must cease. It will be no reply to this argument to say that on the return of the subject to the dominions of his native sovereign, his allegiance is restored. It is admitted that allegiance is not limited by time, but it yet remains to be established that it is not limited by space. That when out of these dominions the citizen is subject to a power which in its nature only can exist within them. Nor will it be more material to prove that on the return of the subject to his native country, he may be punished for any offences, denominated such by the internal laws of the state, which have been committed without its limits, for that will only prove that the sovereign authority is incontrollable within the territorial limits of the state; that it may enforce unjust laws, and inflict unjust punishment. But it is sufficient for the present argument to say, as will be proved hereafter, that when taken in arms he is protected from the operation of municipal laws by the laws of a ms.

It has even been contended that we have not the right to naturalize the subjects of another power, in such a manner as to impose the obligation of bearing arms against that power, even within our own territory, and that if our constitution and laws speak a different language they are nugatory. All nations, speaking generally, have, indeed, claimed the duty of perpetual allegiance, but the same nations, at the same time, have exercised the power of naturalization—the British nation particularly, without any formality of process, naturalizes the subjects of other powers in the most extensive sense of the word. Our constitution on this subject is as explicit as language can make it; and it is hardly fair for gentlemen to take for granted that all the great men who framed and signed that instrument, with Washington at their head, were so grossly ignorant of the relative rights and duties of nations as this argument necessarily supposes—let me say to these gentlemen, that I have understood & believe this provision of the constitution was introduced into the instrument by a gentleman (Alex'r Hamilton) who, I acknowledge, was a very great man, and to whose memory they are not unwilling to pay the highest honors. Will the gentlemen say he was thus ignorant of the relative rights and duties of nations?

After these views of the subject, we are prepared to reconcile with the laws and practice of nations, the apparent paradoxes with the absurdity of which the disputants on either side of this question have charged each other. It is said that perpetual allegiance is incompatible with naturalization, and therefore that all governments which naturalize, to be consistent, must abandon the claim of perpetual allegiance. On the other hand it is said allegiance is perpetual, and therefore you can not naturalize. But these are mistakes, for allegiance being only co-extensive with the territorial limits or the extension of territorial power of a government, each operates within a sphere which is exclusive of the sphere of

the other. Thus the claim of perpetual allegiance and the right of naturalization are compatible, and the practice of nations cannot be paradoxical and absurd. Again, it is said that naturalization is practiced by all governments, and that all governments, to be consistent, should concede the right of expatriation; but this is also a mistake, for expatriation implies a total release of the subject from his allegiance, as well when without as on his return to the territory of his original sovereign. (Concluded in page 68.)



FOREIGN.

From the Mercantile Advertiser.

New-York, April 16.

Very late from France.

Yesterday morning the fine fast sailing letter of marque schooner Grampus, Captain Murphy, arrived at this port in 38 days from Bordeaux.

By this arrival we learn verbally, that Lord Wellington, with 150,000 men was at Mont Masson, about 20 leagues from Bordeaux; and that the inhabitants of the latter place were considerably alarmed, and were packing up their most valuable effects, that all the American vessels had sailed from Bordeaux for home and La Rochelle—that the allied army had been defeated at Antwerp—that Bona-parte's head quarters were at Troyes on the 26th February—and that nothing was said of the Congress having assembled at Chatillon.

Capt. M. has brought dispatches for Government from our Minister in Paris.

A letter from Bordeaux, dated 6th of March received by the Grampus, states, that the Spanish Cortes have ratified the treaty between the Emperor Napoleon and Ferdinand the VIIth, and that a copy of it so ratified had reached Bordeaux in the Madrid Gazette.

Another letter from Bordeaux, of the same date, says, "Bank Stock has risen from 440 francs to 775, Consols 48 to 55 1/2. Murat, King of Naples, has joined the Allies and declared war against France; and his army has been defeated in a battle with the Vice-Roy of Italy. 14,000 Russians, 10 standards, 53 pieces of cannon, and 4000 Bavarians and Wintemburgers, have been taken by the French and sent to Paris. Marshal Suchet with his army has arrived at Lyons from Spain."

The Emperor Napoleon has issued three decrees from his head quarters at Troyes, dated February 21st; the first of these orders a list to be made out of those Frenchmen who have been in the service of the coalesced powers in any capacity since the invasion of the Empire on the 30th December, 1813, that their persons may be brought to justice and their estates confiscated. The second discharges from office the Baron Caffarelli, prefect of the department of Aube, who had absconded; and the third appoints the Sieur Roderer to succeed him.

Capt. Murphy sailed from Bordeaux on the 7th March, and left the River the 10th, and has kindly favored the Editors of the Mercantile Advertiser with a file of Bordeaux papers to the 7th March inclusive, containing Paris dates of the 2nd, and London dates of the 23d February, from which we have made the following translations.

Paris, February 15.

The discharge of cannon announced this day at 2 o'clock, P. M. to the inhabitants of this city a new victory obtained by his majesty over a corps of from 25 to 30,000 of the enemy, commanded by General Kleist, who is supposed to have been detached from the Austrians to succour Blucher. This corps arriving too late, experienced the same fate as the army they came to succour. It is said the result of this affair was six thousand prisoners, two generals and many pieces of cannon taken.

At two o'clock at the departure of the Courier, the army was pursuing its career of success. Our troops have fought with an incredible courage. The enemy's corps have retreated towards Cologne.

A report has been in circulation of the death of the Prussian Gen. d'York, at Chateau Thierry.—This report is confirmed. This general breathed his last sigh at this place, where every aid which humanity required was furnished to him.

Fomainbleau, Feb. 20.

The corps which occupied for a short time our city, was entirely composed of Austrians, who conducted themselves very well. The palace has been particularly respected; and the entrance into the library room was defended, by order of the Austrian General, by two centinels. He asked for the collection of maps by Cassini, but they were not there and so they would not be given to him.

Suchet's army from Spain, is joining Angereau's corps at Lyons. The king of Naples is acting against the French troops in Italy.

Paris, Feb. 18.

Her majesty the Empress and Queen has received the following news from the army to the 17th in the morning—

The Emperor in setting out from Nogent on the 18th to manoeuvre on the enemy's troops which had advanced by Fortee and Meaux upon Paris, left the corps of the duke of Belluno and General Gerard in advance of Nogent, the 7th corps of the duke of Reggio at Brovins, charged with the defence of the brigades of Bray and Monterau, and General Bojel at Monterau and Melon.

The duke of Belluno having received accounts that many divisions of the Austrian Army had marched from Troyes on the 10th to advance upon Nogent, repassed the Seine with his corps, leaving General Bourmont, with 1100 men at Nogent, for the defence of that city.

The enemy presented themselves on the 11th to enter Nogent. He renewed his attacks the whole day but always in vain. He was briskly repulsed with the loss of 1500 men killed or wounded. Gen. Bourmont had barricaded the streets, fortified the houses, and taken all his measures for a vigorous defence. This general, who is an officer of distinction, was wounded in the knee—Col. Ravier took his place. The enemy renewed the attack on the 12th, but always ineffectually. Our young troops