

Resolved, That the declaration of war against Great Britain, by a small majority of the congress of the United States, was unwise and impolitic, and unnecessary, the grand objects contended for must be abandoned.

Resolved, That it is at all times the malice of freemen, fully and openly to investigate the conduct of their rulers, and that we will on every occasion vindicate the freedom of the press, and that the definition of treason, given by the constitution of the U. States, is the only one sanctioned by justice and rational liberty.

Resolved, That the conduct of the governors of Massachusetts, Connecticut and Rhode Island, respecting the quota of militia demanded from them respectively by the secretary of war of the United States was constitutional, and merits our decided approbation.

Resolved, That the navy is the kind of national defence least dangerous to liberty and most compatible with the genius, habits and interests of the U. States; and whilst we view with delight, admiration and enthusiasm, the heroism of a Hull, a Decatur, a Jones, and their gallant associates, we are surprised with additional motives for approbation of the policy of augmenting the naval force of our country.

From the Georgetown Federal Republican.

"In pace leones, in peris cerci." "Lion stalkers, lamb followers."

BRITISH INSOLANCE.

It is much to be regretted that some mode cannot be adopted to prevent those insolent Canadians from laughing at us, the good and wise people of this most enlightened nation in the world. Every now and then a saucy song is written, a pun let off, or some teasing pasquinade or other indited, in spite of Mr. Giles' dignified allusion to these impertinencies last winter.

And now, Joe Giles has, in a late Intelligence, denounced all who dare to laugh at our cabinet, its projects and its failures. If the same whole some regimen could be applied to the people inhabiting the other parts of the globe, more particularly in our enemy's territories, it would have a happy effect; and we cannot but suggest to our cabinet the propriety of issuing a proclamation against all sneering and laughing at the good people of the United States and their warlike rulers, and their generals and armies in any part of the world, particularly in our enemy's territories. Is it not beyond tolerance provoking, that while we are alternately sweating and freezing on this side of the St. Lawrence, for no other purpose than to just get over and cut their throats, and rob their churches, that the Canadians stand perfectly unconcerned, and are shaking their sides at our tremendous efforts to invade in the dark, and without loss.

We entreat our administration, particularly Mr. Giles, their "factotum," to put a stop to such a procedure, which renders our forces so very ridiculous, and is so provoking.

We are led to these remarks in consequence of the following extract of a letter from New York which is enough to raise the blood, to boiling heat of every American, whether he be a native, or like Mr. Giles imported. Only to think of it, no wonder poor Pomeroy's wife was thrown in the street and his house burnt down by Baptis L. Vine's volunteers.

EXTRACT

"ALBANY.—We have just received here a most amusing caricature, lately published at Montreal, and which I will describe to you as well as I can. It is entitled, 'The Invasion of Canada.' At a distance, in the back ground, is seen Quebec, in the shape of a large plum cake, nicely frosted over, and looking extremely inviting. Towards this an incongruous mass of men, militia, volunteers, regular forces, horse and foot are striding, with infinite rapture; some with uniform coats, some with half coats, and some with no coats at all. The officers are highly dizened with gold and silver lace and laurel; the soldiers lean and ragged. In the midst of the whole, and in the foreground, sits general Dearborn, in a horse cart, with his face towards Quebec, his sword being stuck through a knot-hole in the bottom of the cart, while the general is devouring a huge apple pie, which he holds in both hands and eats with great satisfaction. On the right hand of Dearborn stands general Smyth, and on the left general Hopkins. Smyth has two huge ox bladders filled with wind, one under each arm, with the necks of the bladders turned towards Quebec, at which he is squirting away, in the manner that Scotchmen play upon their bagpipes, according to Looney M'Fisher. General Hopkins, poor gen. Hopkins, in the most pitiable condition imaginable, is holding up his breeches by the waistband, and looking in the front and rear, as though he was in a state of continual thaw and solution, and as if he had not a clean rag about him. Monsieur Chaltee stands immediately behind Gen. Hopkins, and holding his capacious possidris in his hand half suffocated with the circumambient atmosphere, can only exclaim, 'Stop de veels'—'Stop de veels.' Mr. Madison stands behind General Smyth, and with obvious delight at his prowess, claps him on the shoulders, and is saying, 'Hearty cock! squirt away, 'You're my man for Can a day.' 'There is something in the whole group wonder fully ludicrous, which the skill of the painter has increased greatly by the happy effect of contrast. Poor Gillwin's misery at being in the rear of gen. Hopkins is strikingly set off and strengthened, by the eagerness of Mr. Madison at the wonderful exhibition of his favorite General Smyth. And there is a subtle despair cast upon Hopkins himself, who looks for all the world, as if he were absolutely embowelled alive, when contrasted with General Dearborn, who sits in his cart, fat, plump, careless, unmindful of Quebec, or of the scene or scent about him, and absorbed wholly by the apple pie he is eating."

We forbear comment on this new outrage on the rights of man, and the independence of these United States, and would only suggest, whether it might not on this occasion be proper, if the president should fail to issue a proclamation, for his congress to pass some resolutions expressive of their sense of the injury, and their fixed determination not to submit to it." As Mr. Giles is absent, and the

matter ought to originate in the senate, we merely suggest postponement until he returns. This pasquinading, and caricaturing is inoustrous, and no nation understanding what it owes to itself, can endure it.

In the debate upon the bill concerning the pay of non-commissioned officers, &c. Mr. Williams and other advocates for the enlistment of minors, attempted to support their unrighteous doctrines by reference to the law and practice of '98-99. Although the law of '98 did authorize the President to direct as to the age and size of the recruit; the enlistment of wards and apprentices, so far from being encouraged was at that time positively forbidden, as will appear by the following copy of general orders issued in '99, by major general Hamilton. These orders forbid the enlistment of persons in a state of intoxication, a practice which of late has been frequently adopted, and which, strange as it may seem, has not been considered by some of the courts of the United States, as good cause for a discharge upon a writ of habeas corpus. [Alexandria Gazette.

GENERAL ORDERS. New York, June 6, 1799.

Pursuant to instructions from the Secretary of War, the following additions to the rules and regulations respecting the recruiting service are to be observed. None but citizens of the United States shall be enlisted. Persons not born within said states, who were within the same on the 4th day of July, 1779, shall be deemed citizens for the purpose of enlistment. Every person not born within the United States, who may have migrated hither, since that day, must produce a certificate of Naturalization from some competent magistrate, or court, before he can be enlisted, and every person whosever not born within the United States, before he can be enlisted must produce proofs by the affidavit of two respectable inhabitants of the county in which he shall offer himself to be enlisted, taken and certified by some magistrate authorized to administer oaths, that he has resided within such county for at least one year immediately preceding the time when he shall so offer himself to be enlisted, the said certificates and affidavits when respectively necessary shall be produced to the officer who shall first muster any recruit whom they are applicable, after he shall have joined his regiment towards the justification of the officer by whom he, shall have been enlisted. Apprentices shall on no pretext be enlisted. If any apprentice, shall be enlisted through ignorance of the officer enlisting him, he shall be discharged, first refunding and returning any money or other articles which he may have received. Major general Hamilton enjoins the strict obedience of those regulations as points of material consequence to the service. He equally enjoins a particular attention to those parts of the original rules and regulations which forbid the enlistment of persons in a state of intoxication and limit the age within which recruits must be enlisted. It is learned with regret, that in several instances they have not been sufficiently attended to. A faithful army is to be preferred to a numerous one, and a regard to justice and property in the conduct of every part of the military service, cannot fail ultimately to promote the honor and interest of those concerned in it as well as the public good.

It is expected that the commandants of regiments will carefully advert to all wilful or neglectful breaches of these rules; and if any occur will exert the means which the articles of war provide for repressing disorders and neglects, to the prejudice of good order and military discipline.

(Signed) ABRAHAM R. ELLERY, Assistant Adjutant General.

To the Editor of the Virginia Patriot.

It is astonishing to remark the inconsistency of the democrats. Every body remembers the English expedition to Copenhagen, and the object which carried it there—and very few can have forgotten the loads of abuse which were heaped upon the British government upon that occasion. Even one of its officers, who was afterwards at the American Court in a diplomatic capacity, did not escape the malice of a low infatuated mob. Remark the practice of these people and contrast it with their professions. The newspapers tell us that the Spanish part of St. Augustine is to be taken possession of by the American arms; that it is to be forcibly wrested from its lawful, ancient sovereign; a sovereign now in the hands of Bonaparte as a prisoner, but whose faithful subjects, aided by a powerful and magnanimous ally, are still contending for their independence in Europe.

In the name of wonder, what is to be done with this port of St. Augustine? Is it to be annexed with the province of which it is the capital, to the American dominion? or is it to be held for safe keeping, like the Dutch navy seized at Copenhagen, until a general peace takes place?—The last Enquirer, which by the bye, was one of the loudest in denouncing Mr. Jackson, and every thing connected with the affair at Copenhagen, now exults in seizing a neighboring port of a nation with which we are at peace; a seizure, which if it takes place at all, will be on the identical principle acted upon by the British, and which every democrat from Georgia to Maine was loud in exclaiming.

There is such a thing as consistency, and I mortally hate to hear people so loudly condemning that in others which they are guilty of themselves. Necessity, it appears will operate here with as much force as it did at St. James's, and a principal town of a nation, which was the first to acknowledge American independence, will be taken possession of in order to hinder our enemy from using it to our prejudice during the present contest.

Congress.

MR. QUINCEY'S SPEECH.

The subject of the merchant's bonds being under consideration, in the house of representatives, Mr. Quincey rose to offer his sentiments upon this important measure, and observed that he was not only astonished in the length to which the debate had run, but was surpris'd how it came to be debated at all. Instead of arguments being poured forth in such profusion, he was really astonished

that any arguments had been thought necessary; a bare statement of the case, being, he thought, sufficient to set the question at rest forever. It was the case of a forfeiture of not less than twenty millions of dollars, equal to one third of the national debt, and which from the magnitude of the sum must, in the event of its decision, produce the most extensive effects, and if decided in one particular way, involve in it the ruin of vast numbers of people? Was it possible, he asked, for the house of representatives of a free people for one moment to entertain a thought of leaving such a question to the decision of one single individual? or that such a purpose could be tolerated by any man who understands civil liberty?

It had been said that the Secretary of the treasury had the power to decide this question. Mr. Quincey said he would inquire what the power vested in that officer really was? Taking it in the Secretary's own words, it was to "remit the share of the United States and of all other persons, in whole or in part, and on such terms and conditions as may be deemed reasonable and just."— "Here, said Mr. Quincey, would be a power, discretionary, arbitrary and repugnant to civil liberty." Throwing out of his mind all extraneous considerations, and examining the question on the great broad bottom of its principles, he found two great striking and distinct ones, which alone should determine it. One was, that innocence should never be confounded with guilt. Another, that penalties of the law should never enter into the ways and means of a national treasury. Examining the law itself, he found two distinct substantive causes. One of those went to regulate and determine the forfeitures, and the penalties, over which by any law, the Secretary could not presume to possess or exercise any control; the other related to the mode of enforcing the forfeitures and penalties. Consequently, the Secretary of the Treasury, by his own confession in his report, that he must act by that law, had vested in him no other power than the tribunal by which it was to be enforced; but he had no discretion—no right to talk of *equivalents*; and having decided that there was no fraud, no power over the people's property at all; fraud and wilful negligence on their part being the only things that gave him power over them.

Mr. Quincey said that in all cases where the parties were innocent, the discretion of the secretary was confined to the mere expences and costs, and that discretion he was bound to exercise reasonably. But there was a question of a much higher nature than this. A question not between the merchants and the treasury, but arising from the essential principles of civil liberty. It was this that every man in a free country holds his life, liberty, and property, independent of the will of any individual whatever. To any citizens of the U. States, therefore, who had been innocently enmeshed in the toils of the law it was competent to revert to the secretary of the treasury and to demand his discharge. "Reverse the proposition (exclaimed Mr. Q.) and I say that you are all slaves, and as much vassals of the treasury department, as any slave in the Turkish empire to his master; observe I speak of statute innocence."

Mr. Quincey said that he had carefully examined the books of the treasury and found that no such power had ever been exercised. The customary practice in most such cases, was to remit the penalties, on payment of costs and charges. Two only were of a different complexion. Those were the cases of Gillespie and Armstead. In both these cases judgment was given that the men were innocent of fraud or of wilful negligence; notwithstanding which Gillespie was fined one fourth part of the net produce of his shipment, together with charges and costs of suit. And Armstead was obliged to pay costs and charges, besides two cents a gallon on the brandy, of which it seems his cargo consisted. Now, said Mr. Quincey, if the secretary of the treasury be really invested with a power of this magnitude, disguise it as you please, he is the despot of the country. If this is an exposition of the law by your officer of the treasury, COME DEMOCRATS! COME BONAPARTE! COME TYRANT! COME WHEN YOU WILL, YOU WILL FIND THE VIEWS AND PRINCIPLES OF OUR CABINET YOUR OWN.

Mr. Quincey said that he knew the prejudices of certain gentlemen were very strong. He did not mean to offend—he only wished to unfold and discuss high principles essential to the existence of civil liberty. But the prejudices with which he had to contend were so very violent, so demoralizing in their effects, that they could be compared to nothing but those love powders and philters with which the imagination had supplied the physical world, and under the supposed influence of which the raptures of the passion they excited were exactly in proportion to the deformity of its object.

He then adverted to the policy of the restrictive system, endeavoring to impress on the house his conviction that it would be best to abandon the penalties altogether: because Great Britain wisely arguing not only from universal moral sentiment, but from well established opinion, derived from uniform experience, that there is a disposition to resistance in man, and a point beyond which human endurance cannot go, would be very glad from policy to encourage and aid such ways and means as those produced from penalties, assured that they can not last, and that they must ultimately produce effects detrimental to ourselves, and greatly advantageous to her in the present contest.

Mr. Q. drew the attention of the house to the effects of the restrictive measures on the collecting laws, and with vast ability and acuteness of reasoning, pointed out the impolicy of straining laws, the authority of which was questionable, to as violent an extent as those of unquestionable right. He observed that within the last six years Congress had made laws by which one hundred new offences had been actually created. On examining the records he had found that in 16 years, that is from 1790 to 1806, the claims of remission to forfeitures amounted to about twelve hundred; while from 1806 to 1812, a space of six years only, the claims were above one thousand, which gave an increase in a duplicate ratio, and from this he inferred that those offences were augmented and created by the restrictive law.

It has been observed by some gentlemen, that

government took not so much as it would, but as much as it dare. But sir, said Mr. Q. say that you have no right to take a dollar. The secretary dare not take it; but he comes to this house and he says,—I find the disposition, do you find the countenance. Do you only find the victim and you will find the knife, and cut where and as deep as you please. Why, sir, I regard an attempt of this kind as more criminal and less pardonable than highway robbery; for it does not require so much courage and is infinitely more iniquitous; told that it is thought improper for gentlemen on our side of the house to take a part in this debate, and their cause: but, sir, I am the representative of a certain portion of citizens of this union, and their free rights. On this, therefore, it has no intimidating effect to say, what is sufficiently well believed and understood, that my reasoning can do no good while cabinet influence is against me. On the contrary, it ought to be a motive with all who think as I do, to persevere; for if such instructions of the laws as that now attempted, were permitted, and are reduced to practice, the effect it is done, and the more quickly, the better, by so much the more severely and speedily will a use be abated and put down. Nay, sir, it may be questioned whether the pretence by which they attempt to palliate the abuse does not greatly aggravate it—necessity; they plead necessity, necessity, the beggar's patched up cloak; the tyrant's profligate pretext!

To conclude, sir, it is my unalterable opinion that there exists in the people of this country a vigorous moral sentiment, which will not bear oppression, and ultimately will rise against it, if it persisted in: and the only consolation I have, is that if by FORCED LOANS, and other despotic means, the treasury is to be filled, these scenes of oppression may be compared to that hour of most extreme darkness which precedes the dawning of the day.

Galeghy: FRIDAY, JANUARY 13, 1813.

In the war in which the United States are at present engaged, they present the curious spectacle of a nation absolutely persevering in an attempt to put off its own right hand. Not that we protest England has never given great provocation to the placidity of our republican temper; nor that, if we desired a quarrel, there could not be found plausible pretences for going to buffets. But in the present instance, with Mr. Jefferson, who could always say a hundred excellent things for one that he meant to perform, we believe there never was more false arithmetic employed than to convince the people that it was their interest to go to war. It is their interest to have commerce. Their property is connected with it, essentially and inseparably. War has constantly been the enemy of commerce. One or other of the parties must ever be materially injured by it; and, in an enlarged view, the whole world, in a greater or less degree. It is in this respect the assertion is made that as to advantage, the present war amputates our efficient member. Of all the powers engaged in the contest against England, we alone had commerce to lose. The other nations, either lulled in the lap of apathy or manacled by the fetters of despotism, slyly resigned the miserable pittance that was left them; content, if they might enjoy rapine, to suffer privation. Indeed, to most of them, rapine was not important. Where there are more mouths to feed than the whole produce of every fertile land can supply, there is no need of other management to fill it, and little fear of its being wanted. Not so with us. Unless we have vent for these passages we raise, industry will relax in its exertions, and enterprise forsake a climate uncongenial to her constitution.

Throwing aside our prejudices and our vituperative animosity against Great Britain, we cannot but admit that, for years, she has been the very salt of the commercial world. And what nation has experienced so much benefit, as we have from her intercourse with her? In a great measure, our trade has been upon her capital. We have added up our cargo's, in a degree, of her goods, and drawn liberal profits on the sale. With our produce we have bought British manufactures, and sold them abroad for money. Yet now we must bite off our nose, according to the homely phrase, to bite off our nose. We are to assist in pulling down Great Britain; a nation, which, with all her vain glory, has done more than any other towards the refinement, the instruction and the comfort of mankind. And are we sure what is to be the result? Have our rulers so wisely digested the plans, that the event of their success will be the security of the objects for which we contend? There is room to fear that no good ground exists for answering these questions in the affirmative. We shall spend in the war sixty millions; at least, we lose forty of revenue into the bargain; and that too, as we shall find, not to our ultimate advantage, but for honor, and vengeance, and spirit, and what not. Well, will the peace, if we gain it, compensate us for these one hundred millions, and for the valuable lives squandered along with them? Shall we secure for posterity a boon which will cost them satisfied and grateful under a debt of a score millions, instead of an unincumbered national credit? If it be commerce that we are fighting for, we do not see how the war is to place us in a more favorable footing. Indeed, government appears to have given up this ground, and to have taken another, of which we shall hereafter speak.

The wish of England to destroy the trade of America, her great rival, has been much harped upon. But what nonsense is this. We have destroyed it ourselves. We have performed the same to her hands, by embargoes, non importations, and prohibitions and intercourses, and finally by war. The only way to have defeated such an object, we conceive, would have been to have protected commerce, and given it increased protection, the element from which it was intended to be driven. But this was the plain and obvious method, and therefore not elevated enough for our statesmen's