that such must be the result; he had too high an opinion of the honorable sentiment and correct principles which he must presume would ever govern a large portion of the minority of that House, to suppose that they would conduct otherwise. It was now clear that the mover of these resolutions having been for some time past plunging on from one degree of extravagance to another, had at last brought himself to a point where he must either stop, or travel by himself.

What is really the sum and substance of this mighty accusation which is brought up as a solemn ground of impeachment against the Chief Magistrate of our country, even according to the gentlman's own shewing? It is not even that he refused to receive the resignation of a public officer, because it is not until within a few days that it has been specifically tendered; this is a thing which has always been within the power of that officer to do and whatever might be the inclination of the President he could not refuse it. It is only then that the President had persuaded the Collector of Boston to delay the period of his actual resignation, and to continue in the occupation of his office for a longer time than he was desirous of doing, in order that it might afterwards be conferred upon another person, to whom it was not then convenient to receive it, whose services were then needed in another capacity. Well, sir, allow all these facts, of which, however as a public man I can know nothing, to be true in their full extent, what is there reprehensible in it? and who has been injured by the procedure? Not gen. Lincoln certainly, for he had it in his power at any moment to retire by an actual resignation. It is not alleged that during the two years for which the office is said to have been thus held, the public service has suffered, either by unfaithful or negligent performance of the duties attached to it, this is not even pretended. But when pressed on this point, which the gentleman appeared to feel fully the force of, he brings forward the circumstance of the present state of inexecution in which our laws are placed by gen. Lincoln's resignation, and that of his deputy, to prove that the public service has is this way suffered, and adds that this state of things might have been prevented had gen. Lincoln's place been earlier supplied. Now the same gentleman had long since told the House, that it was utterly out of the power of the government to carry our laws into execution by any human means whatever, and to day we are told that this inexecution in the port of Boston is attributable to the want of an earlier appointment of a Collector; it is for the gentleman to get along with these paradoxes, no one else can. But there is something in the circumstance of these sudden resignations, given in at a critical moment, without previous notice to the government, which bespeak a preconcerted and systematic design to defeat the operation of our laws, embarrass the government and prostrate the National honor at the feet of faction and anarchy. Another instance of the same character has just been mentioned by a gentleman from S. Carolina, and is perhaps to be followed up by all your revenue officers of the same description of politics with the late Collector of Boston; and thus in a moment is the authority of our laws trodden down, and their obligations sported with, by men who have long been standing evidences of the toleration and moderation of the government, and who have lived upon its particular bounties; to me sir, conduct of this sort speaks a language which it is impossible to mistake, and excites emotions which it is perhaps better to repress.

Sir, the name of gen. Lincoln would not by me have been wantonly dragged into this debate, nor should I have presumed to sport with any animadversions upon the conduct of a man venerable for his years and respectable for his revolutionary services and achievements, had he not have suffered himself as is manifest, from his own connivance at least, to have been ushered into this House, through the indiscreet zeal of his own unlucky friends as the weapon by which they would annoy the Chief Magistrate of our country—far be it from me to indulge in regard to such a character any reproachful epithets, or any language which the disparity of our age and standing would render indecorous and improper. But there are some circumstances growing out of the disclosure which has to-day been laid before the House by my colleague, which it is impossible to overlook, or to contemplate with entire apathy.

What are the facts as stated by the gentleman himself—that gen. Lincoln, though well known to have been utterly opposed to the present Chief Magistrate in his political sentiments and conduct, has through the liberality of the government; perhaps no more than its justice, been permitted for these eight years past to continue in the possession of a most honorable and responsible office, and in the reception of its great emoluments to the tune of $5000 a year, and that in opposition to the wishes of the political friends of the Executive; and what according to the gentleman's statement is a still greater stretch of indulgence, that for nearly two years he has even been suffered to retain it as a sinecure, without the performance of its ordinary duties and for all this liberality and all this indulgence, what is the requital which that officer and his friends return to the government? The one furnishes to the other that sort of evidence by which it is vainly hoped that this very indulgence may be turned as a weapon against his benefactor, and be made the ground of a public accusation. As to this fact it is not possible I should be mistaken; for though it is not stated by my colleagues that the evidence which he has adduced has been put into his hands by gen. Lincoln, yet it must be evident that the letters which have passed on this subject between himself and the Executive, and which the gentleman states are in his hands, could only have been furnished either directly or indirectly by gen. Lincoln himself. What a picture does this statement present; a man who for a long period of years has lived upon the liberality of the government; who by the favors that he has been permitted to enjoy from the bounty of the nation, has amassed a liberal fortune, deserts its service and abandons his post at a most critical and important moment, and then to avert from himself the public censure and public indignation, turns and endeavors to wound the hand that has fed him, and raised him from penury and want, to affluence and ease. Throwing for a moment out of view the utter futility of the charges as they are attempted to be laid, there is somthing in the means by which they have been got up, that is too utterly revolting to every honorable sentiment of the heart to allow one to think of it with composure.—The public feelings cannot with impunity be thus wantonly sported with, nor can the public indignation by any stratagems of this sort be diverted from its proper object. It will fasten upon those, and those alone, who by a precipitate and probably preconcerted abandonment of duty at a critical moment, have suffered the government of their country to be set at defiance, and the authority of the nation defeated and trampled upon.

In reply to the oservations of various gentlemen against his proposition—

Mr. Quincy observed that neither the asperity of his political oponents, nor the disagreement of his political friends, would change his mind on a subject which he had well considered. If he was in an error concerning the charge, or rather, allegation which he had made, he was willing to stand before the nation alone in support of it.—It gave him no sort of pain or anxiety. Mr. Q. replied to several incidental observations made by gentlemen, in the course of the debate, but which are not noticed in the course of the proceeding sketch. In relation to the execution of the late embargo law, he said that the deputy collector had not dared to execute the law, not from any insurrection or disobedience to the laws, but from a determination in the community to bring the laws of the United States where he hoped the people of this country always would bring the laws to the decision of the judiciary. In particular cases (said Mr. Quincy) gentlemen, whose vessels were loaded with property to the amount of perhaps 80 or 90,000 dollars, were called upon by your laws either to give bond in six times the amount of the cargo, or to unload their vessels. They refuse to unload; the collector breaks open the hatches and takes possession of the property; and as soon as that is done, he must give bond in the state courts to the amount of 180,000 dollars, or double the amount of the property seized. This is a civil right of the citizen. The instant your officer begins to execute that law, before one day is at an end, he will have been obliged to give bond in a million of dollars or to have gone to jail. The deputy collector therefore could not put at hazard the whole hopes of himself and his family by executing a law which brought him into such obvious danger. Gentlemen say that I admitted that this law *might have been* executed. That was not the bearing of my expression. It was, that if the law could have been executed, the head the of office, if an efficient man, would have been competent to execute it; but not when that head is an individual, who is absolutely from infirmity confined to his house, and almost to his bed. The misfortune is that there is not now a responsible officer to execute your laws; and it is this which has led to the present motion. Mr. Quincy said, that, convinced that it was proper that an enquiry should be made, nothwithstanding gentlemen near him had asked him to withdraw his resolution, although alone he should wish a question to be taken on it. He denied that General Lincoln had been kept in office as a reward for his revolutionary services; and, if it were so, the Executive had no right to gratify any man by a sinecure at the expence of the public interest. The facts which he had stated, if the House would go into a committee of enquiry, he could prove. He said he had not, as suggested by his colleague, received his information from Gen. Lincoln, and this was all that he would state on that point. Mr. Quincy said his observations had been attributed to a design to excite New-England. He said N. England was in a state of excitement under the operation of the embargo laws which some of the wisest men and best patriots in the country deemed unconstitutional, and so much so that they could not submit to them. This was the general sentiment. Suppose it to be the case that this House should ever pass an unconstitutional law; what must be the course of the people? They could pursue no other mode than a constitutional remonstrance; and if that failed, he said they had no other resource than a constitutional resistance. He hoped that course would not be taken, because he hoped the government would see the evil of its ways, and the incorrectness of the principle on which it acted. He maintained the correctness of the ground that, when a law is passed by which in the opinion of the people their interests are entirely destroyed, the law could not be enforced. His motives being as he had stated them, he had wished to lay the subject before the nation. This House, he said, was the guardian of the rights of the citizens, and had a right to enquire into the manner in which offices were filled. And though he might be alone in this opinion, deeming it his duty to make the enquiry, he said he should not withdraw the motion.

The question on the PASSAGE of the resolution (Mr. Quincy having withdrawn his motion that it lie on the table) was taken by Yeas and Nays as follow:—

YEA—Mr. Quincy.

NAYS—Messrs. Alexander, L. J. Alston, W. Alston, Bacon, Bard, Barker, Bassett, Bibb, Blackledge, Blake, Blount, Boyle, Brown, Burwell, Butler, Calhoun, Cutts, J. Campbell, Champion, Clay, Clopton, Cook, Culpepper, Davenport, Dawson, Deane, Desha, Durell, Ely, Findley, Fisk, Franklin, Gardenier, Gardner, Garnett, Gholdson, Goldsborough, Goodwyn, Green, Harris, Heister, Helms, Hoge, Holland, Holmes, Howard, Humphreys, Isley, J. G. Jackson, Jenkins, Johnson, Jones, Kelly, Kenan, Key, Kirkpatrick, Lambert, Lewis, Love, Lyon, Macon, Marion, Masters, M'Creery, Milnor, D. Montgomery, J. Montgomery, N. R. Moore, T. Moore, Jer. Morrow, Jno. Morrow, Moseley, Mumford, Nelson, Newbold, Newton, Nicholas, Pitkin, Porter, Pugh, Rea, (P.) Rhea, (T.) J. Richards, M. Richards, Riker, Rowan, Russel, Say, Seaver, Shaw, Sloan, Smelt, Smilie, J. K. Smith, J. Smith, S. Smith, Southard, Stanford, Stedman, Storer, Sturges, Tallmadge, Taylor, Thompson, Trigg, Troup, Upham, Van Allen, Van Cortlandt, Van Dyke, Van Horn, Wharton, [illegible], Wilson, N. Wilson, Winn, 117.

JANUARY 17.

Debate on the Message of the President communicating Mr. Canning's letter, with the answer of Mr. Pinkney.

Mr. KEY said that he would give his hearty vote for printing the greatest number of copies proposed; for he did conceive that the American people ought to have full information, and that the antidote should accompany the poison. I consider the late publication (said he) as the most direct and insidious attempt of a foreign government to take advantage of and influence the parties in this country, and that too by the most dishonorable means. The paper alluded to could only have been in possession of our own administration or of the British government. It came not from us; it must have proceeded from the other—and from what view? Had fair information been the object, the letter of Mr. Pinkney in reply would also have been made public, that one might have been confronted with the other. If it proceeded from that quarter, the seperation of the reply from the letter, is evincive of the attempt to impose on the people. I consider it an attempt to set the people at variance with their government, and an insolent attempt of a foreign nation to interfere in our affairs, in three points of view. 1st. Mr. Pinkney is expressly exonerated from the charge of misrepresentation; but no man can understand it otherwise than as having allusion to the Executive of the country—an insinuation which there is no proof to support, and in support of which none can be adduced. Whatever difference of political opinion may exist between us on some points, I respect the administration on the whole, and every honest man of every political opinion must side with me. 2ndly. There is an insinuation that the President of the United States, had only permitted our minister at London *individally*, not *formally*, to make a proposition on the subject of the embargo. This is unfounded in fact, because the documents before the House prove to the contrary. 3dly. A question is raised whether actual knowledge of the orders in council of November was in the possession of our government at the time of the laying the embargo, which Mr. Pinkney has fully explained, that the American papers shewed that it was well known before the passage of the embargo, that such would probably be the measures adopted by the British government. It is upon these three great questions that this letter is insidiously calculated to delude the American people. I think therefore as ample publicity should be given to the truth as may be. However we may differ as to internal regulations, I hope we shall feel as husband & wife, who, however they jar, will not suffer the interference of a third person. In case of such interference, I trust we shall always be ready to rally round the constituted authorities as protecting the true interests of the country.

National Congress.

HOUSE *of* REPRESENTATIVES.

Monday, January 30.

Mr. Newton, from the committee of commerce and manufactures, presented a bill to prohibit in certain cases the entry of foreign vessels into the ports and harbors of the United States (in conformity with a resolution offered by Mr D. R. Williams) which was read and referred to the committee of the whole house on Wednesday next.

PREPARATION FOR WAR.

On motion of Mr. *D. R. Williams*, the unfinished business (the 50,000 volunteer bill) was ordered to lie on the table

And the house resolved itself into a committee of the whole, Mr. Macon in the chair, on the resolution submitted by Mr. Nicholas a few days ago, in the following words:

Resolved, As the opinion of this house that the U. S. ought not to delay beyond the day of to repeal the embargo laws, and to resume, maintain and defend the navigation of the high seas against any nation or nations having in force edicts, orders or decrees, violating the lawful commerce and neutral rights of the U. States.

Mr. Milnor moved for a division of the resolution, so as to take the question first on repealing the embargo; and moved to fill the blank with the fourth day of March.

[Here considerable debate ensued from Messrs. Randolph, Milnor and Sloan which our limits will not admit of insertion]

Mr. Nicholas, who had been absent, when the question was taken up, wished to modify his resolution. This being considered out of order, Mr. Nicholas moved to amend the resolution under consideration by striking out the whole of it after the word "Resolved," and inserting the following:

Resolved, As the opinion of this house, that the U. States ought not to delay beyond the day of to resume, maintain and defend the navigation of the high seas; and that provision ought to be made by law for repealing on the day of the several embargo laws, and for authorising at the same time LETTERS OF MARQUE AND REPRISAL against G. Britain and France—provided on that day their orders or edicts violating the lawful commerce and neutral rights of the United States shall be in force—or, against either of those nations having in force such orders or edicts.

Mr. Lyon opposed the striking out the substance of the original motion, under the idea that it would deprive the house of an opportunity of taking a direct vote on the repeal of the embargo.

Mr. Nicholas said that the object of both resolutions was the same. The object of the resolution first proposed was to repeal the embargo laws, to assert and prepare to enforce our rights. The only object in proposing the amendment was to bring the subject to a close in one way or other. It had been said that the other resolution was not specific enough—that it could not be understood; that it would take up much time of the house, and when it came before a committee to draft a bill in pursuance of it, their construction of its terms might differ from that of the house, and the whole subject must be gone over again. He wished the subject to be decided, and that the whole nation should know as soon as possible what was to be done. Gentlemen who thought that we ought to take a determined stand against encroachments on our rights, he said would vote with him; gentlemen of a contrary opinion would vote against him.

[Debate was here continued by Mr Dana, the house having agreed to strike out the substance of the first resolution.]

Tuesday, January 31.

PREPARATION FOR WAR.

The House resumed the discussion of Mr. *Nicholas's* proposition; and the motion pending when the House yesterday adjourned, was debated till five o'clock, when the House adjourned without taking the question.

Wednesday, February 1.

REPEAL OF THE EMBARGO AND ISSUING LETTERS OF MARQUE AND REPRISAL.

The House again resolved itself into a committee of the whole, on Mr. Nicholas' resolution, Mr. Macon in the chair. The proposition for filling the blank in the resolution with the first day of June still under consideration, was debated till 4 o'clock, when the committee rose.

On the question that the committee have leave to sit again.

Mr. *Dawson* moved to postpone the further consideration of the subject indefinitely. The House adjourned without coming to a decision on the motion.

Thursday, February 2.

REPEAL OF THE EMBARGO, &c.

The speaker declared the motion pending (for indefinite postponement) when the house yesterday adjourned, to be out of order.

The House then again resolved itself into a committtee on Mr. Nicholas's resolution for repealing the embargo and issuing letters of marque and reprisal, on the day of . The question was pending on filling the blank with the first day of June, the fourth of March, or the fifteenth of February.

After a debate for about three hours, the question on filling the blank with the most distant day, *the first day of June*, was NEGATIVED——*seventy-three* to *forty*.

And the committee then rose, on motion of Mr. Randolph, without taking any other question, 58 to 56 and obtained leave to sit again.

Annapolis, January 24.

This day two of the transports with troops for New-Orleans, sailed from this place.

Jan. 25.—Yesterday Gen. Wilkinson arrived here in the Charleston packet, Wolf, and this morning he left town in high spirits with the residue of the troops.

APPOINTMENTS

By the Governor and Council of Maryland, December, 1808.

James Nicholson, 2d lieutenant, of captain J. H. Nicholson, junr. troop of horse attached to the 6th brigade, Queen Ann's county; David Mackey, junr. captain of a rifle company, 49th regiment, Cecil; Ezekiel Richardson appointed lieutenant, colonel, 11th regiment, Dorchester; James Lecompte, captain, Francis Webb, lieutenant, and Hugh Henry, ensign of a company, 11th regiment, Dorchester; Walter Purnell, captain of a company, extra battalion, Worcester; Joshua Prideaux, major, do. do. John Tilghman, lieutenant of captain William H. Nicholson's company, 38th regiment, Queen Ann's; Daniel Stevens, ensign of captain S. Richardson's company, 19th regiment, Caroline; Solomon Frazier, captain, Solomon Jones, 1st lieutenant, and Thomas H. Hooper, 2d lieutenant, of an artillery company, attached to 12th brigade, Dorchester; Jeremiah Mahon, ensign of captain Simpson's company, 30th regiment, Cecil; Anthony Ross, captain, Robert Stevens, lieutenant, and Shadrach Cooper, ensign, of a company, 19th regiment, Caroline; Warner Pollins, captain, William Starte, lieutenant, and Richard Williams, ensign of a company, extra battalion, Caroline county; Robert Hardcastle, captain, Thomas Still, lieutenant, and Joseph Boone, ensign do. do. Andrew Bagges, captain, and William Mountticone, lieutenant, do. do. Tubman Walston, lieut. and John Riggin, ens. of captain Curtis's company 23d regiment; William King, captain, Whittington King, lieut. and Thomas Beauchamp, ensign, of a company, 23d regiment Somerset.

Charles Nutter, surgeon, 25th reg. do. Thomas J. Winder, surgeon's mate, do. John King, paymaster, do. Littleton Aires, adjutant, do. George Dashiel, lieutenant, and John Wailes, ensign of captain Humphrie's company do. William Thomas surgeon's mate, 35th regiment Queen-Anne's county; James Brittain, captain, Nathan Smith, lieut. and Henry Comerford, ensign of a company 35th regiment, Queen-Anne's; Sidney Palmer, lieutenant and James Ralph, ensign of captain Fogwell's company do. do. Solomon Scott, lieut, and Edward Starkey, ensign of captain Baynard's company do. do.

NAVAL OFFICE,

Boston, January 19, 1809.

In consequence of the "disability" of the Collector of this District, and in "defect" of a Deputy the duties of that principal officer have "devolved" upon the Subscriber, by law; and, the Federal Executive has been of course notified that I will execute those duties with the same conscience which has directed the line of my "explicit" duties under my proper commission; which bears the seal and signature of Washington.

I therefore "lose no time" for giving this public notice for all concerned, and especially for those who are most interested in the effects of the 1st, 2d, 3d, 6th, and 8th sections of the act of the 9th day of this current month.—"To enforce and make more effectual an act, entitled, an act, laying an Embargo on all ships and vessels in the ports and harbors of the United States, and the several acts supplementary thereto," which present act, it is hoped "every free citizen" does or will immediately possess, study and duly regard.

JAMES LOVELL,
Naval Officer.

To be rented,

After the first day of February next,

THE HOUSE and LOT at present occupied by Mr. *Thomas A. Fisher*, situate on Washington and Goldsborough streets: The house will accommodate a small family, and at the same time afford a small store or shop in front—or the whole may be converted into a large store or warehouse. The subscriber also offers two Negro Men for hire.

JOHN L. KERR.

Easton, January 10, 1809. tf