places of residence of certain persons who have been detected in violating the embargo laws, prepared in pursuance of a resolution of this House of the fourteenth of November last.

The said letter was read, and, together with the papers transmitted therewith, ordered to lie on the table.

Mr. BURWELL presented a memorial of the President, Managers, and Company, of the Philadelphia, Brandywine, and New London Turnpike Road, praying the aid and patronage of Congress, to enable the said company to open and complete a road from the city of Philadelphia, by Chadd's Ford, on Brandywine, and New London Cross-Roads, to the line of the State of Pennsylvania, in a direction towards the city of Baltimore.—Referred to the committee appointed the eleventh of November last, on so much of the Message from the President of the United States, at the commencement of the present session, as relates to the disposition of the surplusses of our revenue in the improvement of roads, canals, rivers, and education.

On motion of Mr. CLOPTON, that a petition of sundry British merchants, and others, subjects of His Britannic Majesty, presented on the twenty-first of December, one thousand eight hundred and four, and praying "that the power and authority granted by law to the Federal Circuit Courts, may be extended to the trial and determination of '*all causes arising under treaties*,' or to causes where an alien is a party, in which the matter in dispute, exclusive of costs, is under the sum of five hundred dollars; or that such other tribunal may be established for the trial and determination of the said causes as to the wisdom of Congress shall seem meet," be referred to the consideration of a select committee.

Mr. C. stated that, in making this motion, he was far from having any desire that the prayer of the petition should be granted; on the contrary, he was very much opposed to it, but that he made the motion solely to comply with the solicitation of an agent of the petitioners, residing in the district he represented, who had earnestly requested him to call the subject into view, and endeavor to obtain a final decision by the House. Motion for reference lost—ayes 33. The petition was laid on the table.

COLLECTORSHIP OF BOSTON.

Mr. QUINCY.—Mr. Speaker, I rise to perform a great duty; but one imperiously demanded, as I apprehend, by my station, and by the knowledge of facts which I have in possession. By the second section of the first article of the Constitution, this House have "the sole power of impeachment."

This duty, always painful, it must perform, if occasion calls for it. And every member who has reason to believe that a high crime or misdemeanor has been committed, is bound to state that opinion to the House, and to move such an inquiry as the nature of the supposed offence demands.

Of all the duties of the Executive Magistrate of this nation, that in relation to the filling of important public offices is the most critical, the most likely to be abused, and the one which this House ought most scrupulously to watch; because these appointments are the avenues of corrupt influence; and, of all species, perhaps, that is the most dangerous which keeps men, then acting in high official stations, subject to such an influence by not only the actual perception of the profit of the places which they hold, but by the assurance of further lucrative advancement, in case of continued fidelity to him who holds the distribution of offices. Under this aspect, sir, I do not hesitate to declare my opinion, that a high misdemeanor has been committed against this nation, concerning which it is the bounden duty of this House to inquire, and either to remove the ground of suspicion, or establish the fact before the world. This is the charge which I expect to substantiate: That the collectorship of the port of Boston and Charlestown, being a place of great trust and importance, and also of ample emolument, has been now for more than two years, kept, in a manner, vacant, and ever since left in the condition of a sinecure, in the hands of the then incumbent, after the Executive had full information of the fact, for the purpose of keeping the said office in reserve for Henry Dearborn, long a member of the present Administration, then and now Secretary of War.

The facts I expect and am prepared to prove are:

First. That, in November, 1806, Benjamin Lincoln, Esq., collector of that port, did write to the President of the United States, stating his infirmities and advanced years, and asking leave to resign at the end of that year.

Second. That he did receive an answer from the President, in December following, expressing a high sense of his Revolutionary services, and requesting him to give him a little longer time to look out for a suitable character to fill the said office, and limiting the time to the last of March then following, viz: March, 1807, "beyond which he assured him he should not be detained." That General Lincoln, in reply, consented to continue until the last of the said March.

Third. That no appointment in March was made, and that General Lincoln did, on the 30th of September, 1807, write to the President stating his infirmities, and total inability to perform the duties of his office, and again requested to be relieved from his office, at farthest, by the end of that year; that to this he never received any answer.

Fourth. That he has been continued through another year, without any reason assigned for such continuance, in a situation totally unable to perform any of its duties; so much so, that he has not been in the town of Boston since June last.

So far the facts are to be proved, as I have reason to believe, in a court of law. The next fact, I have no doubt, will be made out perfectly to the satisfaction of the House and nation.

Fifth. That this office has been thus kept, in

effect vacant, for more than two years, for the purpose of gratifying a favorite of the Executive, Henry Dearborn, Secretary of War, by that appointment, and that for him it has been, in this manner, reserved.

I need not use any arguments to show that these facts, if they be proved, constitute, to say the least, a high misdemeanor, into which this House ought to inquire, and to take such course thereupon as to its wisdom shall seem expedient, under the high duties imposed upon it by the Constitution.

I am instantly impelled to this duty by a paragraph in a paper, the National Intelligencer, of this day, which I now hold in my hand. In this paper, Major General Benjamin Lincoln, one of the chief glories of our Revolution—a hero, the halting victim of war—his body all seamed and scarred with wounds gotten in the cause of his country, now on the brink of the grave, his laurels never yet tarnished; and though the aged root is descending into the tomb, yet their leaves upturn to the eye of a youthful green, and shed all around a celestial fragrance—This hero, the companion, the beloved friend of WASHINGTON, is stigmatized as "a Federalist, whom the forbearance of the Administration has long retained in office, in opposition to the wishes of a respectable class of the community." I have not language to express my indignation. And I am quickened to a duty which I had before made some preparation to perform. I therefore move the following resolutions:

Resolved, That the President of the United States be requested to lay before this House all correspondences touching the offers to resign and the resignation of his office, by Benjamin Lincoln, Esq., late collector of the port of Boston and Charlestown.

Resolved, That a committee be appointed to inquire into the causes which prevented the acceptance of the resignation of Benjamin Lincoln, late collector of the port of Boston and Charlestown, in the years 1806 and 1807, and into the reasons which have occasioned a postponement of the appointment of a successor, and that they report the result of such inquiry to the House.

The House agreed to consider the resolutions—yeas 93, nays 24, as follows:

YEAS—Willis Alston, junior, Ezekiel Bacon, William W. Bibb, William Blackledge, John Blake, jun., Thomas Blount, John Boyle, Robert Brown, William A. Burwell, Joseph Calhoun, John Campbell, Epaphroditus Champion, Martin Chittenden, Matthew Clay, John Clopton, John Culpeper, Richard Cutts, John Davenport, jun., John Dawson, Josiah Deane, Joseph Desha, Daniel M. Durell, James Elliot, William Ely, John W. Eppes, William Findley, James Fisk, Francis Gardner, James M. Garnett, Thomas Gholson, jr., Charles Goldsborough, Peterson Goodwyn, Isaiah L. Green, John Harris, John Heister, William Hoge, David Holmes, Benjamin Howard, Reuben Humphreys, Robert Jenkins, James Kelly, Joseph Lewis, junior, John Love, Matthew Lyon, Nathaniel Macon, Robert Marion, Josiah Masters, William McCreery, William Milnor, Daniel Montgomery, jun., John Montgomery, Thomas Moore, Jeremiah Morrow, John Morrow, Gurdon S. Mumford, Thomas Newton, Wilson C. Nicholas, Timothy Pitkin, junior, John Porter, Josiah Quincy, John Randolph, John Rea of Pennsylvania, Jacob Richards, Matthias Richards, Samuel Riker, John Rowan, John Russell, Benjamin Say, Ebenezer Seaver, James Sloan, John Smilie, John Smith, Samuel Smith, Henry Southard, Richard Stanford, William Stedman, Clement Storer, Lewis B. Sturges, Peter Swart, Samuel Taggart, Benjamin Tallmadge, John Taylor, John Thompson, Abram Trigg, Jabez Upham, James I. Van Alen, Philip Van Cortlandt, Nicholas Van Dyke, Killian K. Van Rensselaer, Daniel C. Verplanck, Jesse Wharton, David R. Williams, and Nathan Wilson.

NAYS—Lemuel J. Alston, David Bard, Joseph Barker, Burwell Bassett, Adam Boyd, William Butler, Meshack Franklin, William Helms, John G. Jackson, Daniel Ilsley, Richard M. Johnson, Thomas Kenan, William Kirkpatrick, John Lambert, Nicholas R. Moore, Roger Nelson, John Pugh, John Rhea of Tennessee, Lemuel Sawyer, Samuel Shaw, Dennis Smelt, Jedediah K. Smith, Alexander Wilson, and Richard Winn.

Mr. QUINCY moved that they should lie on the table until to-morrow, and be printed.

Mr. GHOLSON said, he hoped that they would neither lie on the table nor be printed. He acknowledged that the present attempt had excited his astonishment more than anything which had occurred during the session. He could scarcely credit his hearing, when a member rose and moved to institute an inquiry with a view to impeachment on a subject like this. What was the charge? Was it a charge of mal-administration? Was it any charge which would authorize the course pursued? Was it alleged that the duties of collector had not been faithfully performed? Nothing of this had been urged. But the President had not appointed a person to fill the office of collector. Mr. G. said that the late collector had only resigned within a day or two, and there had been, therefore, no vacancy to be filled. The former collector had an undoubted right to resign whenever he thought fit, and had not resigned. Why, then, this ridiculous proposition? If the collector had resigned, the President would have been compelled to fill the office, but this was not the fact. He hoped, therefore, the resolutions would receive an immediate rejection.

Mr. BURWELL said he partook of the surprise of his colleague at the resolutions just submitted. He knew of but one parallel to it, in the history of impeachments, and that would be found in Gulliver's Travels. The recollection of gentlemen would save him the trouble of specifying the particulars of that case. The gentleman wanted an inquiry into the reason why the President did not wish to accept the resignation of Mr. Lincoln. How would a committee of this House proceed in this inquiry? They must either go to the President and ask him the motives of his conduct, or they must have some other mode of penetrating his motives. After the handsome panegyric of the gentleman on the late collector, Mr. B. asked how he could come forward and impeach the President for keeping in office a man whose merits transcended all description? It appeared to him, from the speech of the gentleman, that he had been long in possession