

The claim of Captain Bradley to dominion within his *buoys*, is probably conformable to his idea of the doctrine maintained in the case of the Chesapeake ; Captain Bradley insisting that a national vessel ought not to be entered by a foreign municipal officer, to serve a process of law.

In Captain Whitby's case, credible persons assert that this officer was able to prove an *alibi*, in consequence of his being on board the Cambrian ; that the shot was aimed at another vessel, which was *no coaster* ; and that it was not known, on board the Leander, for several days, that Pearce was hurt. The *Driver*, though included in the President's *first* proclamation against certain British vessels by name, had no concern with Whitby's squadron, but belonged to another station, and had gone off, or was going off, when the accident happened. If these facts be true, the President knew or might have known them, by the return of the witnesses, whom he sent to give evidence against Whitby, and should have told the publick the result, instead of complaining that he had heard nothing from the British. The British, as desired, tried Whitby for his life ; and the President has repeatedly complained, not of the *mode* of trial, but of the *acquittal* only. But what a dreadful system of equity is exhibited, when it is implied that a man must be guilty of murder, because the mob say so. As to the American evidence being sufficient to convict Whitby, as Mr. Madison affirms, it is plain that the fact *may* have been otherwise ; for how could they know where Whitby dined, or who gave the orders for firing the shot, or that the fatal stroke was not wholly accidental. The President seems to have expected the punishment of Whitby to be as much matter of course, as the punishment demanded by the Czar was proposed to be matter of course, for the insult offered to his minister in London, as mentioned in Blackstone. We acted with more magnanimity, at Boston, with respect to Captain Preston, who was tried and acquitted, in the midst of the very people who were offended. The case of the *Impetueux* was under discussion, at London, when that of the Chesapeake was announced, and the consideration of it was in consequence deferred. It is said that