National Intelligencer.

& WASHINGTON ADVERTISER.

VOL. VIII. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. NO. 1200.

FIVE DOLLARS PER ANNUM, WEDNESDAY, JUNE 22, 1808. *PAID IN ADVANCE.*

CONGRESS.

HOUSE OF REPRESENTATIVES.

DEBATE

On the Resolution offered by Mr. G. W. Campbell for authorising the President to SUSPEND THE EMBARGO under certain contingencies.

WEDNESDAY, APRIL 13.

(CONTINUED.)

Mr. MASTERS. Mr. Chairman, I shall not undertake to say that the rejected treaty is so advantageous as we had a right to expect. I do not hesitate to declare, that, or even Jay's treaty is preferable to the present state of our affairs. If we take into our view all the relative circumstances of the British nation with France, Russia, and the other belligerent powers, and pay proper attention to the unprotected and defenceless situation of our country and our commerce, in forming our ideas of what we ought to expect from that nation, whose navy commands the seas; can we then expect she will sacrifice that navy or any part of her power, by conceding the point of search for her seamen on board of neutral vessels? It is inconsistent with their interest, and it is inconsistent with their superiority. This right of search for their own subjects, Mr. Masters considered as the main block in the way of negociation, which sound policy and interest require we should clear away. The British and American commissioners had informally put this point on as good footing as he expected. Although the resolution under consideration is not properly limited and defined, he should not vote against it. His wish was to raise the embargo and arm our vessels. The nation could not bear the pressure. The embargo virtually inhibits all intercourse with foreign nations: the effects are and will be pernicious to the agricultural productions of this country, and produce will fall to the lowest ebb, and enforce the most unparalleled distress in the community. Commerce ought always to be left to the merchant, unshackled and unembarrassed, as much as possible. Our commercial intercourse is the principal resource, both of revenue and commercial opulence. The embargo will tear up by the roots and annihilate the commerce of this country. And the effects will be, heavy taxes; an exhausted treasury; a diminished and ruined revenue. It weakens your own power, fetters your operations, and deludes your citizens; it devours not only the fruits, but the seeds of industry. It will sink down and depress the nation to an absence of hope and a want of resources; it will be felt by the nation as a calamity, without deciding the general question of dispute. Prove to me the embargo is consistent with common sense, and will be the means of adjusting our differences with the belligerent powers; and I will then be an advocate for it. Though we have the constitutional right to lay an embargo, it is a matter which requires great consideration, whether the measure will have the effect to which it was seemingly intended. It may be good in theory; he esteemed it chimerical in practice, a mere speculative proposition. Wisdom is to be gained in politics, not by one rigid principle, but by looking attentively at causes and the effects they have or will produce; not by adopting that false philosophy, which seeks perfection out of that, which, in its nature is imperfect; which refers every thing to theory, and nothing to practice; which substitutes visionary schemes, for solid test of experiment, and bewilders the human mind in a chaos of opinions. Search all the histories of the world, and you will not find eleven hundred thousand tons of shipping, of one of the greatest commercial nations, embargoed for an unlimited time. Mr. Chairman, the season of our severe trial is not at an end, nor are we yet relieved from the dejection and gloom which hangs over our heads; doubt and uncertainty mingles with the hopes and expectations of the people. If you bring our commerce into the situation of the Chinese, you will end in the wild state of nature, that mocks the name of liberty, and the human character will be degraded instead of being free.

If you entertain a sense of the many blessings which you have enjoyed; if you value a continuance of that commerce which is the source of so much opulence; if you wish to preserve that high state of prosperity by which this country has for some years past been so eminently blessed, you lose all these advantages by continuing the embargo and neglecting to arm your vessels. Restore, then, confidence and vigor to commerce. You are at war with your own interest and every idea of policy; instead of protecting commerce you destroy it.

In whatever view the embargo presents itself, it appears to me to be fraught with impolicy; it was laid at midnight; that miserable scene was closed under that darkness which suits with it, and under the secret shelter of our own walls. If we are to go to war, you have instead of warlike preparations and exerting every sinew of national ability, laid an embargo, and obtained just nothing.

The policy of France as regards Great-Britain, is to make a warlike non-intercourse, and we have by a side wind fallen into the measure; adopted and sanctified it: we have abandoned the great highway of nations; our dispute with Great-Britain is about commercial rights; we have given them up.

Is this country at that crisis when we shall surrender all those rights her citizens hold most dear? God forbid! I have contemplated upon the embargo, which is hazardous and impolitic, with great pain and anxiety, and I turn my face from it with horror. If there are any who improperly foster and countenance the threatening storm and whatever consequences may follow, they are answerable to their country and their God.

All the advocates of the embargo on this floor have admitted that it was oppressive and a curse. Take away this *curse* and arm your vessels. It does not follow, as the gentleman from Virginia (Mr. Love) supposes, that arming will involve us in a war. When Great Britain finds we resist the French decrees, she will revoke her orders of council. When France sees she cannot bring us into her views, she will revoke her decrees.

Mr. FISK wished to say a few words on this subject. I am very much surprised, said he, at the expressions of the gentleman last up, and the gentleman from Virginia, (Mr. Randolph) yesterday. They expressed sentiments which if they once take root in this nation, will prostrate your liberties and rights at the feet of foreign governments. The gentleman just sat down has observed that the subject of impressment was the main block in the way of negociation. Very true it was, sir; it goes to the personal liberty and security of your citizens; and if you surrender that right what do you expect those citizens will say to you? Do you expect they will greet you with "well done thou good and faithful servant?" What can the gentleman think when he recollects the sensation displayed at New York on the death of Pierce in consequence of the exercise by Britain of the right of impressment? Were those tears and lamentations feigned or were they the sincere effusions of citizens feeling the injury done them, and burning with indignation at seeing their fellow-citizen murdered almost before their face? If we could believe what the gentleman now suggests, we should suppose that the liberties & lives our citizens were of no value compared with commerce. Why do gentlemen tell us these things? Are they sincere? They cannot weigh life or liberty in the scales with sordid pelf. It is impossible.

It has been observed by the gentleman from Virginia & it seems to have been intimated by the gentleman from New York to-day, that the question of impressment was by the rejected treaty placed on better ground than ever was expected; that something like security was afforded to the U. States, something on which we could rely: and this assertion is brought in with no other view than as a defence of British measures and a crimination of our own. Let us see the language of the British minister, in order to assertain the fact. In the letter from Mr. Canning, dated Oct. 22, he says, in answer to our ministers pressing this same question for some security, "no engagements were entered into on the part of his majesty as connected with the treaty except such as appear upon the face of it. What ever encouragement may have been given by his majesty's commissioners to the hope expressed by the commissioners of the United States, that discussions might hereafter be entertained, with respect to the impressment of British seamen from merchant vessels, must be understood to have had in view the renewal of such discussions, not as forming any part of the treaty then signed (as the American commissioners appear to have been instructed to assume) but separately, and at some subsequent period more favorable to their successful termination." It would seem, however, from what was observed yesterday, that this was left, though informal, on such a settled basis, that it might have been satisfactory. If my memory serves me, the Secretary of State says these vexations are greater than ever. The British government was never serious in making any settlement against this practice. We find in the first place, that the British ministers never yielded that right. We find that Mr. Canning in answer to our ministers tells them they were not to consider the late proclamation respecting impressments as any new regulation on the subject; that the proclamation was not considered in that light, but merely as conveying instructions to the British commanders who might be at a loss how to act; that the proclamation had been framed for nearly three months but never issued till that time. If it had been in existence for three months, it must have been framed at the very time that the attack on the Chesapeake was in view; that was to try the sentiments of this country and they meant to steer their course by them. Therefore it is not an instruction given to naval commanders, lest they should mistake their duty from the late incidents, because it was framed before the attack on the Chesapeake took place. It unfortunately happens that the British government has not in this case covered its object.

I am a little surprized to hear gentleman telling us that arming our merchant vessels would not produce war. Why arm if they are not to defend themselves? If the belligerents defend their proceedings will they not resist our vessels arming against their orders? Could it be done without being met by a declaration of war? But the gentleman from New York has told us that if we suffer our merchants to arm, the British would consider it a sufficient token of our resistance to the French decrees, and remove their orders of council. You have seen all the decrees and orders which make innovations on the law of nations and subject our commerce to plunder. Are those of France the most hostile? Is the aspect of that nation the most hostile? Compare the letter of Champagny which declares that our vessels shall be held in sequestration depending the measures of this government, with the note of Canning, as well as the communications from Mr. Erskine, and what is the result? Look at the treaty which our government is on this floor condemned for not signing, with the note annexed, declaring that if we submit to the decrees of France, his Britannic majesty would consider himself bound not to observe the treaty. This note contained a threat; but it was nothing to what Mr. Canning, in observing to our ministers on this subject, says: "his majesty cannot profess himself to be satisfied that the American government has taken any such effectual steps with respect to the decree of France, by which the whole of his majesty's dominions are declared in a state of blockade, as to do away the ground of that reservation which was contained in the note delivered by his majesty's commissioners at the time of the signature of the treaty; but that, reserving to himself the right of taking, in consequence of that decree and of the omission on the part of neutral nations to obtain its revocation, such measures of retaliation as his majesty might judge expedient, it was nevertheless the desire and determination of his majesty, if the treaty had been sanctioned by the ratification of the President of the United States, to have ratified it on his majesty's part, and to have given the fullest extent to all its stipulations."

With regard to this treaty I have no idea of entering into its merits. The gentleman from Virginia yesterday seemed to be extremely anxious to justify the treaty. He might have postponed its defence till it was before us, or at least till it assailed. I will observe that whatever might have been the intention of our ministers, they placed the U. S. in a very disagreeable situation, obliging them to declare that they had not right to negociate such a treaty. It has given occasion to Mr. Canning to say, "some of the considerations upon which the refusal of the President of the U. S. to ratify the treaty is founded, are such as can be matter of discussion only between the American government and its commissioners; since it is not for his majesty to enquire whether, in the conduct of this negociation, the commissioners of the U. S. have failed to conform themselves in any respect to the instructions of their government." He then goes on to animadvert on the conduct of the American ministers. Had they kept within the real limits of their own instructions, they never would have given occasion for this reflection on them.

On the score of informal negociation, it will be recollected that from the earliest days of the government to the present time, the subject of impressment has been pressed upon the British government, not only in times of war but in times of peace. If there were in reality any foundation for the charge on our government of having sacrificed the interest of or lost a security to our seamen by a rejection of this informal article, it will be only necessary to recur to the correspondence between our ministers and the British commissioners, and it will be found that not only formal but informal articles were such as we ought not to have accepted; that reasonable concessions on our part were offered for the sake of accommodation and refused; that the treaty of 1794 was in some measure proposed as the basis, but was not accepted by the British ministry. Let me ask the gentleman for a single moment what were the terms offered in this treaty which he regrets that the government did not accept? Independent of its exceptionable provisions, it was accompanied by a note which contains a reservation to the British government to regulate its own proceedings, and leaves us but two alternatives—either to declare war against France, or suffer the British ministers to rule us. What do they offer us now? If we will trade as they please, and pay them a duty on all our exports we may carry on our commerce. Is it possible that any man who professes himself an American could accede to this? The spirit of 1776 refusing to pay a duty of two per cent on tea, would certainly not now yield that for which they then contended, and become again tributary to the British government? This is not all. Even this admired treaty which the gentleman from Virginia so much regrets, allows us to trade to the colonies if we will pay tribute. Was it not easily discoverable that two, three, four or five per cent. would be laid upon the trade, and virtually prohibit us from carrying on this commerce altogether? It was better than prohibition; but if we would not tax it, they would prohibit it altogether. What right had they to demand this? Certainly none; and yet gentlemen wish us to raise the embargo, to embrace these regulations, open all our ports to this fettered commerce, and will not place it in the power of the Executive to suspend the embargo. I am a little astonished that gentlemen who consider the embargo as the heaviest curse which could befal this nation, should be against any measure for removing its pressure. But so it is. Here permit me to say that I admire the flexibility of the gentleman's sentiments. It must be well known to every gentleman in the House that a gentleman from Virginia, in combating measures which were then carried into effect, as the non-importation law, said that if we take measures at all they should be *strong* measures—none of your milk and water measures, but an EMBARGO; which would be an efficient measure. This same gentleman at the present session exclaims against the Executive influence which produced the embargo. At this very session we cannot forget the scramble betwixt him and another gentleman in this House (Mr. Crowinshield) who should have the honor first to propose the measure; even urged expedition in the measure, as he had a bill ready prepared. In the course of deliberation on the subject he urged it as the only thing which could promote the national interests; and persisted in this, till one of his colleagues informed us of the effect which it would have upon Britain. He then rose and told us that he had done with the measure; that the measure was partial (not unconstitutional;) that it was a new invention; that it was expressly aimed at Great Britain—and this was the great objection. But *now* we are told that the British government will ask nothing better of us, than giving up the carrying trade. But unless the gentleman can prove that they are the carriers for their enemy and for us, he will find it difficult to prove that it favors England. Really I am at a loss to see the difference between the proposed measure and that which the gentleman so long since supported for authorising the President of the United States, to suspend the non-importation law. But the gentleman disclaims the influence of precedents. The gentleman has another objection; that it proceeds from a recommendation from the Executive. The gentleman took the liberty to pay a compliment to the President of the United States for declining a re-election; but expressed great resentment against those states which solicited him to retain his station. I consider this as the highest mark of respect for the course pursued by the present administration. But it seems, although totally irrelevant to the subject under discussion, the gentleman from Virginia has undertaken to question the motives of all who have joined in the request. The man who has the vanity and arrogance to suppose that he is superior to all mankind, may boast of his republicanism; but possesses none. I envy him not his sensations. It will be recollected that the constitution has not denied the right of a President for two successive terms again to be elected. The legislatures then did not travel out of their constitutional course; and it would have been as *modest* in the gentleman from Virginia (to say no more of it) to have let the subject alone.

In regard to the constitutionality of this measure, which has been questioned, the bill supported by the gentleman from Virginia two years ago, was to enable the President to do a thing at a distant day, if he should think it expedient. What is the object of the present resolution? To put the whole commercial interest at the discretion of the President? Certainly not. If certain events take place, the President is to be authorised to suspend the operation of the embargo law. We command; he obeys. He is the agent, we the principal. The law giving power to suspend the non-importation law, was more vague than this resolution. In that he had a perfect discretion; there was no land mark laid down in the law. Here there is. The distinction taken by the gentleman from Virginia is a distinction without a difference. The principles of both are the same. The powers given and the consequences of the exercise of those powers are the same.

But it seems the gentleman from Virginia has undertaken to arraign all the measures of government taken for some time past. A few days ago he was violently opposed to the raising a military force. At the present moment he draws consolation from the circumstance that both Great Britain and France are hostile to us. If he really feels a satisfaction in the hostile attitude of both powers, he ought certainly not to complain of the acts which he says have placed us in that situation. I cannot conceive how a man can with propriety arraign the conduct of an administration, when he says their measures have produced the very effect for which he is so gratified. We learn from his observations the other day, and it was insinuated again yesterday, that the raising of an army was against the interest of the country. In 1805–6, he was in favor of strong measures against Spain, for he said in the same proportion as we took measures against Spain, Great Britain would respect our rights; because