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HOUSE OF REPRESENTATIVES.

MONDAY, DECEMBER 26.

PRESIDENTIAL ELECTION.

Mr. *Barker* presented a memorial from sundry inhabitants of Hanover, Massachusetts, stating that the Senate and House of Representatives of Massachusetts had illegally chosen the Electors of President and Vice President of the U. S. and praying measures to be adopted to guard against the establishment of so dangerous a precedent.

On motion of Mr. *Wharton*, the several petitions of the surviving officers of the old revolutionary army were referred to a select committee, Messrs. Wharton, Seaver, Helms, John Morrow, J. Campbell, Stanford, T. Moore, Heister, Winn.

Mr. *Helmes* reported a bill for the relief of Daniel Cotton—Twice read and referred.

Mr. *Thomas* reported a bill extending the right of suffrage in the Indiana territory—twice read and referred.

TUESDAY, DEC. 27.

Mr. *Morrow* presented a petition from sundry citizens of the state of Ohio, praying a further extension of time for the payment of the purchase money of Public Lands—Referred to the committee of Public Lands.

The bill for the continuation of the Mediterranean fund having been reported,

Mr. *Tallmadge* moved to postpone the bill for a fortnight.

Messrs. Tallmadge and Lyon supported the motion, objecting to laying this duty in this form, as the object for which it was intended, by the title of the bill, no longer required this revenue." No objection was made to the laying the duty, but to the laying it in this form, distinct from the general increase of duties proposed by the report of the Secretary of the Treasury, which subject would no doubt soon be reported on by the committee of Ways and Means.

Messrs. Campbell and Alston supported the bill, and opposed the motion for postponement, on the ground that a postponement would be equivalent to a rejection, the present law expiring on the first of next month; and that this fund was well understood in the nation under the name of the Mediterranean fund, and there was therefore no reason to change the name. It seemed to be similar to an objection to a man, however estimable, because his name did not please the ear.

The motion for postponement was negatived, Ayes 16—and the bill ordered to a third reading to-day.

Mr. *Dana* reported a bill for the relief of Edward Beemom—twice read and referred.

Mr. *Jackson* from the committee to whom were referred the petition of R. J. Meigs and others' evidence on the trial of A. Burr before the circuit court at Richmond, reported a bill making further compensation to the witnesses attending the trial of A. Burr, &c.—twice read and referred.

DEBATE ON FOREIGN RELATIONS.

[CONTINUED.]

December 5.

Mr. LOVE. I rise under circumstances of extreme discouragement, to address you, sir, while the sound of a voice which never fails to interest in a superior degree, still vibrates on my ear.

Any man whom I have ever yet seen stand on the floor of a deliberative body, who should be compelled to follow the gentleman last up, would, I confess, sir, have occasion for a great share of the politeness and condescension of his audience. It is because I so highly honor that disposition to indulgence, which this body has so often manifested, that I have now determined to obey the impulse of duty, at the hazard of, and while I feel myself transported beyond the restraint of personal considerations.

In the observations which I contemplate offering to the House, it shall be my endeavor to limit myself as much as possible to those important topics of discussion actually before us; and while I cannot consent to consider any thing properly admissible in argument, which does not relate to the great questions presented us by the report and resolution, I shall be excused in expressing my regret that the members of the committee which has led us to the view of this vast and extensive field of political survey, have hitherto refrained from a presentation of their statements in support of the measures which they recommend to our adoption.

The report must ever be acknowledged on all sides as a most able and correct exposition of the real situation in which the U. States stand in relation to foreign nations; nor do I, sir, consider the conclusions drawn by the committee as less entitled to the unqualified approbation of every American. I lament that it has not been the pleasure of the House to consider them both in a connected point of view, the latter as the natural and apt consequence of the former; and that a disposition has been evidenced even in the friends of this connected system still more effectually to disjoint it, by dividing the question on the first resolution. This seems indeed to be a kind of parliamentary mode, too fashionable with some gentlemen of this House. It has certainly however relieved the debate from some embarrassment, when gentlemen who argue in opposition to the measures recommended, have at length given some character to their arguments; for although the gentleman last up, did a few days ago very much insist on the entire futility of the first resolution then, as now, the subject of debate; he to day is willing to admit that he discerns in the measure consequences of the utmost and most substantial importance to our country.

The leading position stated in the report has certainly a strong claim, if true, on the serious attention of this House, and of the nation; it is that "those principles recognized by the civilized world under the name of laws of nations, which heretofore controled belligerent powers, regulated the duties of neutrals and protected their rights, are now avowedly disregarded or forgotten by Great Britain and France. Each of these two nations capture and condemn all American vessels trading with her enemies or her enemies' allies, and every European power having become a party in the contest, the whole of our commerce with Europe and European colonies becomes liable to capture by either one or the other." Is this statement founded in fact, sir? Has the able illustration which follows it been contradicted? No, sir, no part of the vast accumulation of injury exhibited in support of this assertion of the committee, has any gentleman ventured to deny. Sir, it is a fact, that the Milan decree of December 17, 1807, was, as in its terms it purports to be, a complete rejoinder to the orders of the British government, closing every point of commercial right contended for by neutrals; in technical language it tendered an issue, which, for us it seems, has been too fatally accepted by the opposite party.

Permit me, sir, to occupy a small portion of the time of this House, in placing in as obvious a point of view as I am able, the effects upon our prosperity of those injurious violations of rights. This has indeed been already done by other gentlemen most ably, and I shall now only so far concisely notice the subject, as may be necessary to the introduction of my argument. It was true, indeed, that antecedent to the late blockade of some of the West India islands, which we have seen advertised by a British admiral, there was left to us a few of the crumbs of commerce, not, however, worth picking up; but in the present complete state of exclusion, either positive or virtual, there is nothing left for the commercial enterprize of this country, but certain loss and destruction, should it be permitted to venture on the seas. France, as active as the crippled state of her marine will allow her to be, consigns to the flames our vessels if met with on the ocean, and truly, in the spirit of that retaliation which both nations avow as the rule of their conduct, thus destroys our vessels, lest they should fall into the hands of her enemy. Even as the Briton served the Dane, so has the American to a lesser extent suffered under the most outrageous and aggravating system of violence, which has ever disgraced the annals of civilization. It is admitted on all hands, that unless the produce of our soil can find its way to the continent of Europe, it is in vain that the raisers of it may expect a price adequate even to its freight across the ocean. It is therefore only urged, sir, either from a want of consideration, or from a disposition to delude and deceive the people of the U. S. (that part of them I mean who are not conversant in commercial affairs) that it is insisted that the tobacco, and other heavy articles of our produce, may still be transported with any chance of profit to any part of Europe. If to England, it has been ably shewn that the superabundant supply would so far overstock that market as to reduce it below the price of its freight, even if it could be insured against French risques; but if bound directly to France, it is proved to us, sir, not by speeches in parliament, or ministerial pamphlets, but by the examination on oath of men all their lives conversant in trade, that the risque is considered as equal to 90 per cent. since the emanation of the British orders of blockade of November the 11th, 1807. To go directly to France or the ports of the continent under her control, is out of the question. England has forbidden it, and she has the physical means, the mechanical force, which carries her orders against us into effect to almost an absolute certainty.

The only practical course left open for our commerce is a transportation of its articles in the first place to England, and then, sir, we are condescendingly told, and it is said to be yielded as a mitigated measure of strict justice on the part of his Britannic majesty, that we may on the payment of a tax and an acknowledgment of his right to tribute, proceed to a nation where we might find a demand for our products. Let us suppose then, that there is an American who could be found base enough in the pursuit of gain, thus to make a formal, unqualified surrender of every thing which pertains to the honor and dignity of his country. He pays a tax to England, & under the royal licence he departs from the British port, into which he has been forced. No difficulty will follow with such men, I know, sir, in using the arts of fraud, perjury and corruption, to put on the false shew of having made a direct voyage. Indeed, the mean spirit which could stoop to dishonor the flag of its country, is in my opinion past all other censure. He arrives in a continental port, and under the mask of deception, puts off his polluted wares; he receives in return a cargo of the products of the country which has afforded a high price for his tobacco, or other article of American growth, he takes a clearance for the United States, but again when at sea, upon the calculation of ninety per cent. against his safe return to America, he is compelled again to visit and pay his tribute to England; independent of the disgraceful surrender of the sovereignty of his nation; where are the profits, which under such circumstances could ensure to the agriculturist, a price equal to the freight even of the article? The estimate of taxes has been already made by other gentlemen, who have had the patience or curiosity to make a calculation on the subject, and it has been proved, that on the score of profit, no inducement would be offered for such a prostitution of character.

Thus, sir, we find that such has been the actual state of all our commerce in the products of our country, ever since the British and French decrees have been in operation, that neither the fair and honorable conduct of the American merchant, nor yet the mean and corrupt submission of those who would barter for gain all sense of the independence, and dignity, of their country, would secure a price for our commodities. No doubt can exist on the mind of any man who will take a candid view of the real situation in which our external commerce was placed by the conduct of the belligerents, but that the embargo has from a particular operation, and the state of sentiment among our merchants, had the effect of keeping up the prices of our produce, beyond what they would have been, had we permitted our commerce to be exposed to the capture of foreign nations.

I have been compelled to take this short notice of the situation of things produced by the British orders of November 11, 1807. And before I proceed give me leave to say that to my astonishment, I have heard the gentleman from Virginia, last up (Mr. Randolph) assert more than once on this floor, that this state of things was not known to us, and that we were not informed of the British orders in council, at the time the embargo was laid. It is a fact, sir, that those orders were understood at that time, or might have been so by every gentleman in Congress, for by a recurrence to a newspaper, (The National Intelligencer,) printed in this city, on the 18th of December; the day I believe on which we received the President's message, it will be found that in no less than three extracts from British papers, two I think from London, and one from Liverpool, those orders were said to have issued, on the day they are now found to bear date, and their import and effect are as well defined in those publications, as I believe they have since any where been. The paper I allude to was read by gentlemen of every description of political opinion, and indeed by those of no discription, if we have such in Congress and I recollect some gentlemen did in debate urge the weight of this intelligence. I well remember, that many, and myself among others, did insist on the probability of those retaliatory measures on the part of England, as soon as it was known there that France, meant to act on the decree of November 1806, against American commerce; but I do not pretend to say, that the gentleman heard this, or any other argument used on that occasion.

It appears to me, Sir, far from improbable, that our government might have had information at that time although not of so authentic a nature, or perhaps of too delicate a one to disclose it, that the British orders would certainly issue; when we recollect that our minister who had been resident at London, and at his own request had returned, did actually leave England from the 10th to the 14th, I believe of November, and was on the 18th of December, either at this place, or somewhere in the United States, where he had an opportunity of corresponding with the members of the government, I think the probability, of a pretty certain intimation of their existence, very much enhanced.

The debate on the subject of the embargo, I have always considered, sir, as disorderly, in the present discussion. The time is to come when it will probably not be so, it will then be in time to see whether this measure has had its expected effect; but I have felt myself compelled to notice so much of the statement of the gentleman last up, lest false impressions might be made on the minds of others, as to the whole ground which influenced the measure: The message and so much of the documents accompanying it, as the reading of, has been called for, I also admit were important in forming a decision, but I do not acquiesce under the charge so often here and elsewhere repeated, that this house was solely governed by the reasons assigned in the message for the measure.

I beg the pardon of the House for having suffered myself to be led from the subject of discussion before us. I shall now proceed to consider the system of measures recommended by the committee; it is time indeed I admit to adopt some course which shall be strongly calculated, to produce an effect on our enemies; and whatever may be the construction made by different persons, on the character of the embargo, and whether that was a measure of coercion or otherwise, I do not hesitate to avow, that we should now pursue a course of policy avowedly retaliatory, having reprisal for its direct object. Neither our interests nor our honor permit us longer to hesitate. The measures indicated by the second resolution, are in my opinion wisely designed, and eminently calculated for this purpose. Even the gentleman from Virginia sees in them a strong and energetic character; they are indeed of a distinct description from the embargo. That was perhaps a measure of a mixed character, intended for immediate self-preservation, and with a probable ulterior design of coercion on our enemies. The one of those effects has been realized to a most salutary extent. The other I believe, sir, would have been so had not the means of counteraction, which have been so painfully, and so often dwelt on, been resorted to, by the unprincipled part of the mercantile community, often in combination I believe, with a foreign power.

If Mr. Canning is correct in the assertion contained in his letter of the 23d September, that the ruin of the commercial prosperity of Great Britain must annihilate her existence, the contemplated inhibition of commerce with that kingdom will have a direct effect, and act coercively upon her. When we reflect upon the situation of Europe, and find that there remains no place of importance to which England can export the articles of her manufacture, upon which her people depend for subsistence and life; and when we recollect that from the estimates before us, since the occlusion of British goods from the European continent, the importations to this country have increased in one year fifty per cent. the effect of a total non-importation cannot be misapprehended. It must, it will, retort upon her the most aggravating part of her system of outrage on this country, it will affect her interior relations, as she has attempted to affect ours.

I hazard nothing, sir, by asserting that whatever may be the result, this measure is calculated to have a most powerful effect, on both France and England.

But, was it not a call which the honor and independence of our country has made on us, to offer some means of retaliation and reprisal, it must be notorious to every man of reflection, that the safety of our own country, & its real resources call for an immediate suspension of intercourse. I have shewn that so long as the present state of things continues in Europe, it is impossible the heavy articles of our produce can find a competent market. If the manufactures, however, of those countries are continued to be imported, our merchants will continue to make remittances: Those remittances can be in nothing but money, and thus we shall be drained of the little specie, which under the disadvantages of our commerce has yet been left among us; our own safety therefore not less than the desire which must actuate the bosom of every American, prompts the contemplated measure.

It is not to principles of reasoning alone, however strong and imposing they are, that we may resort for the support of the course recommended. There is an example, sir, an illustrious one, one which I trust will ever be of high authority on this floor, it is the example of the House of Representatives of the session 1793–4. Then as now, harrassed by a superior naval power, and our produce alike intercepted by the hostile grasp of an European nation, a non-importation law was determined on, by a great majority of the popular branch of the government; the resolution of Mr. Clark was introduced and supported by names of the highest authority in this country. We find among them a Madison, a Dearborn and others, some of whom I have now the honor to stand on this floor with, and to think, and I trust to act with, on this subject. Had the measure at that day, been carried into effect, as was the wish of this branch of the government, we should not now be obliged to detail the humiliating insults and injuries we have received. The adherence to that system of policy would have taught our enemies that we did not prize their gold, more than our own independence—another course was however pursued which has never failed to produce vexation and loss upon the community.

Sir, in recurring to the transactions of former times, would it not have been more profitable to us, as well as more laudable for the gentleman last up (Mr. Randolph) to have searched for an example, somewhat applicable to the present great crisis rather than industriously hunting up fanciful charges, against the man who has so lately triumphed in the hearts of the people? I had hoped the occassion had now passed by, when a resort to such attempts would be thought necessary. Indeed, sir, it was little to be expected, that any gentleman would at a period even less ominous than the present, have made before this body another charge against a man high in office, unless it were grounded on something better than a production, ushered on the community under an anonymous authority, and the strongest suspicion of falsehood. The source of this production is supposed to be understood, and give me leave to ask of gentlemen, who act upon it, as the ground of crimination, whether it is intended by the author, that he should have another *appeal to the people?* Sir, the people have at this day decided; what is next to be done? And how many *cruizers* against reputation are we now to have fitted out in this House?

The gentleman has indulged himself by repeating to this House some of the predictions of a very great man who was a member of the Virginia convention, which ratified the United States constitution. Great, sir, as were the talents of the deceased patriot alluded to, his foresight had not enabled him to look forward to a crisis like the present. He has indeed expressed an opinion, that America would never have any thing to fear from Europe, that as to dangers from that quarter, we might go to sleep, were the emphatic expressions of this most eloquent man; had his capacious mind comprehended a state of things like the present, it is obvious, we should not have seen him, so zealous in opposing the new system of union. Had he been able to foretell that in twenty years from the time he urged this argument, against the increase of power in the federative government, the state of Europe could be so completely changed that a single monarch was to wield the empire of the continent, while Great Britain was at the same time to command an entire and undisputed sovereignty over all the seas of the world—would I not willingly have afforded an argument,

(*Continued on last page.*)