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ENGLISH HOUSE OF COMMONS.

MONDAY, February 11.

SPANISH WAR.

[*Continued.*]

Mr. Hiley Addington said, it was not his intention to have trespassed that night upon the attention of the house, had it not been for the very able speech delivered by an honorable member who spoke last but one, (Mr. Banks) to every sentiment of which he rose to express his most hearty concurrence. He wished to offer a word or two, in answer to what had fallen from an honorable and learned gentleman (Mr. Raine), who had opened this debate this evening, and who, in the course of his speech, had pretty closely followed the ground that had been taken by another honorable gentleman (Mr. Grey), in the debate of last night. If he did not attempt any answer to the arguments of the honorable gentleman who had spoken last, he hoped it would not be imputed to any want of personal respect on his part for that honorable gentleman; but because most of those arguments stood already refuted in the very able defence of that night, and that he felt reluctance in trespassing long upon the attention of the house, while engaged in the discussion of a topic on which so many persons of high talent and consideration were anxious to deliver their sentiments. The honorable and learned gentleman (Mr. Raine), to whose arguments he wished shortly and principally to apply himself, had endeavored to shew, by deductions from the law of nations, that his majesty's ministers were utterly unjustified in the commencement of the existing hostilities with Spain. He did not pretend to be competent to contend with the honorable and learned gentleman, upon so extensive a topic as the law of nations; however, it seemed to require but a very moderate share of plain sense, to draw from the maxims quoted by that member, deductions quite opposite to those which he had made.

He contended, that upon every principle of common policy, common justice, and common sense, the treaty of St. Ildefonso gave to Great Britain an unquestionable right to commence hostilities with Spain the very moment that the war had commenced with France. The honorable and learned gentleman had said, that immediately on that event, the most decisive steps should have been taken to demand from Spain an explicit and categorical answer with respect to her intentions and adherence to that treaty, and oblige her to declare the extent of the contingent she meant to furnish. On this point, however, he totally differed from the honorable and learned gentleman; for what sort of answer could be expected to such a question, thus abruptly and precipitately pressed upon Spain, at so critical a moment, and with such an implied menace of an hostile alternative? Certainly not an explicit answer, if Spain really intended to abide by the treaty to its fullest extent; but such an answer as would have taught the British government to believe, that she would use every expedient in her power to avoid compliance with the treaty, and to preserve that tranquility with this country, which it was so much her inclination and interest to maintain: that her government wished to avoid acting up to the treaty, that they might gain time, in hope of a favorable opportunity of asserting their own independence. Such an explanation it was not probable the British ministry could have refused to acknowledge at the moment as satisfactory; and, therefore, we should stand precisely on the same ground as we did at the early part of the late negociation.

The very clear and able manner in which the conduct of the British government, through the whole of this negociation, stood vindicated in the debate of last night, rendered it unnecessary for him to trespass now on the attention of the house, by any additional argument to that purpose. He was one of those who looked up with the utmost anxiety for the production of those papers, respecting the discussion with Spain, which had been laid before the house by his majesty's ministers; and it was with the utmost pleasure and satisfaction he now avowed, that after the most minute and attentive perusal of those papers, he was convinced, that throughout the whole of this negociation, the same spirit of justice, of moderation, and forbearance from every disposition to hostility, that had from the beginning marked the conduct of his majesty's government towards the Spanish nation, had been supported, so long as hostilities were avoidable upon any grounds consistent with the honor or the security of Great Britain; and he found in particular, that a letter had been, in the month of October, dispatched by a noble friend of his, to the British resident at Madrid, which marked to the very last moment that disinclination to hostility, that desire of amity, and that spirit of forbearance and moderation, which every wish of policy, as well as the voice of humanity called for; and thus made one effort more, to avoid those extremities which it must be the wish of every wise and just nation to prevent. Feeling, therefore, as he did, that the British government stood fully vindicated in the eyes of Europe, from any conduct which could bring upon her responsibility of hostile extremities, he should not trespass longer on the indulgence of the house, than by intreating it to pause, and well consider the consequences, before it would consent to adopt the amendment moved by an honorable gentleman last night, to the proposed address to his majesty; which amendment was only calculated to lower the dignity, and humble the spirit of the national character; and unnerve the arm of every brave soldier and sailor employed in the cause of his country, by inspiring them with an idea, that the war, enforced by justice and inevitable necessity, was unwarranted and dishonorable, but which it must be the wish of the house, and of every true friend of the British empire, to support with vigor and spirit, till brought to an honorable and advantageous termination.

Dr. Lawrence said, that it was his intention last night to have noticed, in a few sentences, what had fallen from his learned friend (Sir John Nicholls.) Had he done so, at that period of the night, and exhausted as he and the house in general were, he should have confined himself merely to two or three points which had been touched on by his learned friend. Having, however, this night witnessed the confident tone in which an honorable gentleman who sat beside him had addressed the house, in a speech almost every word of which was built on bold and glaring misconception—when he heard it stated that government had acted throughout with humanity and moderation, yet with vigilance, alacrity and firmness; and, therefore, that gentlemen were not to satisfy themselves of the truth of such allegations, lest they should damp the public spirit, he felt himself called on to enter more at large into the subject, and in the first place to enquire if this was really the situation of that house, that if ministers chose to pluge into a war on unjustifiable grounds, they were not entitled to enquire into the causes of it, lest in so doing they should damp the spirit of the country? If this was really so, he should wish to be informed for what reason they sat there, and what was the meaning of the bundles of papers in the hands of the members, and lying on the table of the house? The discussions by which this war had been preceded, were said by those who disapproved of the way in which he thought, to have been marked by uncommon forbearance, and, at the same time, by vigor and energy. There was, however, within the last century, but one war in which this country was engaged, in which the integrity of Great Britain had been questioned, and that was a war against Spain. From this very reason ought we to have been particularly cautious of commencing hostilities against her, unless on the clearest and most undeniable grounds, lest our motive should be questioned. Spain was at the time to which he alluded a more powerful nation than she was at present, and the more were we called on to guard against our integrity being suspected.

When a country, like Spain, rich in pillage and weak in power, was about to engage in war with a powerful state, it was natural to feel suspicious that her riches and weakness might have contributed to involve her in that situation; and if so, was it not for the honor of the country, that the causes of the present contest should be investigated, and our integrity established? When the last treaty of peace was concluded, he had unequivocally stated as an objection to the recognition of it the subsistence of the defensive treaties between France, Holland, and Spain, and had submitted how far, while such treaties existed, we could in case of a new war with France, regard those other two powers as in a state of neutrality. Ministers then made light of that objection, but they themselves started it in the beginning of the present discussion. The learned gentleman then went thro' the different points which had formed the subjects of discussions in the course of the correspondence and contended that on none of them had our government put things in so clear and regular a state as to make them the legitimate subjects of war. By the wavering policy of the late administration, or by their weakness and imbecility, or by what other name the present ministers chose to term it, the country had unquestionably been placed in a disagreeable situation. But had the present ministers extricated themselves or the country out of it, or had they not rather added to the ambiguities and doubts which formerly existed, others of a more extraordinary and more fatal kind?—Lord Hawkesbury had in his communications with the Spanish minister, recognised conventions or communications which were now stated never to have had any existence; and for the result of explanations for which Mr. Frere had been referred by the prince of peace to M. Cevallos, ministers would now refer the House to a letter dated the day before Mr. Frere had stated his intention of applying for the explanation; at least, if not to be found in that letter, ministers did not know where such explanation was to be had. The question then which remained was, in what situation the faith of the country stood, in seizing on the Spanish ships, without giving any intimation to that effect, and without any declaration of hostilities? I had been maintained by the learned gentleman on the other side, that though no positive declaration of war had been made, there might be a conditional one. In illustration of this opinion, the learned gentleman had referred to the instance of a capture of some Spanish ships made by our fleet in the year 1755, before the declaration of war; this, however, was an act for which, by the best informed and most learned men who are accustomed to judge on matters of this kind, our government of that day are highly censured, to use no harsher expression. The learned gentleman too had alluded to an embargo laid at that time by the Spaniards on our ships. He wished the learned gentleman had read the words in which that embargo was noticed, as it would have shewn that it took place subsequent to the capture of the Spanish vessels by our fleets, and was stated as being the reason of laying on the embargo, declaring at the same time, that it would be impossible ever after to trust us on the eve of a war. This shewed the danger of throwing the honor of a country on extraordinary rules of law; and the learned gentleman would recollect, that to support his argument, he must have been able to shew as many exceptions from the general rule which the case he had cited could alone be considered, as would themselves make a rule in favor of his argument. He would also find that the author on whom he chiefly built as supporting his ideas of the law, speaks only, in the passages alluded to by the learned gentleman, of extreme cases, and in general lays it down, 'but all people and all sovereigns of magnanimity will not wage a war which has not been declared." The learned gentleman, he hoped, would not wish to deprive this country or the sovereign of this country, of the character of magnanimity; though, indeed, he confessed the opinions of the learned gentleman, if taken to be the standard by which their conduct was to be regulated, would have that effect in the fullest possible sense of the expression.

The following tract has been recently published in England in reply to Lord Sheffield's remarks on the navigation system of that country. The subject is highly interesting as well to the political as the commercial world. The able and dispassionate style in which it is discussed, and the valuable statements it contains, will insure it the attentive perusal of our readers.

ANSWER
TO
LORD SHEFFIELD's PAMPHLET,

ON THE SUBJECT OF THE NAVIGATION SYSTEM:

Proving, that the acts deviating therefrom, which his lordship censures, were beneficial to our trade and navy, in the last war, and ought to be renewed in the present.

By S. COCKE,
Commercial and Public Agent to the Corporation of Liverpool.

ADVERTISEMENT.

THE rank of lord Sheffield, together with the reputation he has acquired by his writings on commercial politics, bestow an authority on any essay concerning such subjects that is sanctioned with his name. Hence his pamphlet, on the late deviation from certain parts of the navigation system, has been by many received as conclusive; altho' it may be easily proved, that it is neither found in reasoning, nor beneficial in tendency. Even literary men, though habituated to logical discussion, have admitted his inferences, although by no means founded in fact and argument. Their misapprehension has not arisen from deficiency of judgment, but want of knowledge of the existing case. They have merely argued on abstract principles, or rather adopted the abstract reasoning of lord Sheffield. Certain reviews of the treatise in question, praise the performance of his lordship, but appear to have considered only one side. The opinion of respectable critics adds to the weight of lord Sheffield's name. Certain mercantile men support the doctrines of lord Sheffield on a different ground; because they conceive themselves interested in an adherence to the confined system which he recommends, and eagerly inculcate his sentiments on the subject. It is, however, a topic neither to be determined by authority nor by partial interests; but by general interest, and by reasoning founded on fact and experience. On these solid ground, one part of lord Sheffield's pamphlet has been very ably answered. Mr. Jordan has completely refuted all his lordship's allegations against the intercourse between the United States of America and the British West-India colonies.

Important as this portion of the subject is, it constitutes but a small part of that system of trade and navigation which his lordship censures; and as the whole is of the greatest moment to the commercial and naval welfare of the British empire, it has been deemed expedient to prepare an answer to the whole of his lordship's production. The difference, therefore, between the pamphlet of Mr. Jordan and the following is, that the former proposed to confute the allegations of lord Sheffield upon one topic; the latter, proposes to confute his allegations on the series of topics which are the grounds of his animadversion. The writer requests that the reader, in examining both sides, will consider the facts and evidence respectively adduced by lord Sheffield and himself, and decide accordingly. To the discernment, and unbiassed judgments of his impartial countrymen, he commits an essay, which appears to him to be founded in truth; and to support a policy, which has been proved by recent experience, to be highly beneficial both to our trade and navy.

ANSWER, &c.

A great source of error, both in reasoning and conduct, is the unqualified adoption of certain general principles and maxims. Rules of policy must often be modified by the circumstances of the time and situation; and what may be right and wise in the application of a rule to one case, may be wrong and unwise in applying it to another.

Observing that the navigation laws of Britain have, on the whole, been beneficial to this country, lord Sheffield infers that every deviation from them must be prejudicial. He quotes the opinion of citizen Hauterieve, as a demonstration that the navigation laws "are the original cause of the fatal preponderancy of the English marine;" but with all due deference to the authority of citizen Hauterieve and his noble citer, the preponderancy of the English marine was established and ascertained half a century before the navigation act was passed; and, as witnesses of that fact, we need only to name Drake, Howard and Raleigh. The original cause of the English superiority over the natives of Spain, Holland, and France, was the superior wisdom, courage and energy of the English character. The same kind of heads and hearts that triumphed in the glorious contests of Cressy, Poictiers, and Agincourt, triumphed in the Channel and on the Ocean; and although it is natural for a French citizen to impute the greatness of the British navy to a particular system, more than to national heroism, yet far am I from denying that the navigation laws have tended very powerfully to the strength of the country, and also considerably to its opulence; but I cannot agree with his lordship, that every deviation from those laws must be necessarily injurious; or that the deviations which have actually taken place within these few years are injurious.

His lordship advances many observations which are abstractedly true. I perfectly agree with him, that navigation and commerce are among the greatest constituents of British power and prosperity. I also agree with him, that Britain has a right to make such regulations as she thinks wisest and best for the promotion of these great objects, and that we ought not to relinquish part of our navigation system because the same may be disagreeable or prejudicial to foreign commerce and navigation. To these general principles, I subscribe; but I wish to discuss their particular application on the ground of expediency. The question simply is; whether British trade and navigation have been promoted, or impeded, by the acts which lord Sheffield censures; and here I must observe, that his lordship's mode of reasoning is too general and vague to enforce conviction. The means of establishing either the benefit or detriment of the acts in question, is by a fair induction from facts and documents. What had the trade and navigation of England been before these acts; and what have they been since? His lordship should have proved that, since the commencement of these deviations, the number of British ships employed, of sailors trained and occupied, the quantity and value of exports and imports are diminished. By such an induction he would have succeeded in establishing his position. But we find no such attempt. He asserts in general, that the navigation act is the foundation of our commerce and maritime power; thence he infers that every deviation from that act must be injurious to our trade and maritime power; and therefore he reprobates the acts which somewhat depart from the navigation laws. The chief of these acts are, the one known by the name of the Dutch property act, passed in the 35th year of the king, extending the privileges of neutral bottoms, for the purpose of securing the property of Dutch emigrants; and an act passed in the 36th year of the king, permitting all ships to bring from any country, goods of any kind, which, according to the navigation law, could be imported only by ships of the built of the countries from whence the goods were brought, being three fourths of the sailors of the same country; or by British ships and sailors. The effect ascribed by Lord Sheffield to this law is, that it injures the British merchant and British navigation. But his lordship, contented with the assertion, does not prove the existence of loss to either. The act certainly did deviate from the navigation laws, but where is the evidence that the principle of the navigation laws, was in the smallest degree violated by the deviation? If, as lord Sheffield and all others admit, the purpose of the navigation laws was to secure and promote naval force and commerce, whatever new regulation, departing from the letter of these laws, does not obstruct our navy and trade, is perfectly agreeable to the spirit of those laws. With regard to the letter of the laws, I certainly admit there was a difference. Large quantities of goods, not the produce of the countries from whence they were brought, were imported into Britain in neutral vessels, and entered for home consumption, or warehoused for exportation. I further admit, that many vessels did arrive from countries to which they did not belong: But in such importations and conveyances, where am I to find the manifest injury to the British merchant? If goods found their way from one foreign county to another, and thence to Britain, they either were used for home consumption, which shewed that they were wanted, or for exportation from this country at a great advantage to our merchants, to whom they were consigned; at whose wharves they were landed; in whose warehouses they were secured; or who, from their proceeds, often recovered debts from foreign countries; and to our ship owners, who, not unfrequently, were the carriers of such goods from this country. The commodities so brought were a manifest benefit, and not a manifest injury to the British merchants; and the idea of injury seems to have no other foundation than that our merchants were not the carriers to this country; but a very little recollection of the principles of commercial