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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.

TUESDAY, APRIL 12.
(CONTINUED.)

Mr. JOHNSON said he had not expected that, upon a proposition of this kind, the subject of the treaty which was rejected by the Executive, would be introduced. I did attend to that treaty when it was read in the House, said he, and I have perused it with some attention since; and though not a practical politician, and perhaps not sufficiently so in theory to speak or decide upon every point embraced or omitted in that treaty, I think it requires but little discernment indeed to see that this treaty was such an one as this nation would not have been justified in acceding to. I may differ with gentlemen on different points in this treaty; likewise upon the circumstances which would have induced the acceptance on the part of the United States of that treaty which in more perilous times would have been rejected. But let me ask were we in a worse situation when this treaty was formed and rejected, than when the treaty was formed in 1794? Had we any motive to induce us to make a sacrifice? In 1794, if the distress of an Indian war, if the accumulation of the public debt which was continually increasing, if violations of neutral commerce and the d predations of the power of Algiers, with the then reduced and indigent situation of our country, would have justified Jay's treaty, the sacrifice made by it were justifiable. Did circumstances similar to these exist in relation to the rejected treaty to form an apology for the concessions which it made and the principles which it abandoned? Let me ask what was our situation in 1806 and 7? Quite different from that of 1793—4, when Jay's treaty was received; and we had not in my opinion a single motive to induce a sacrifice in the formation of a treaty with any foreign power. Our citizens were happy, rich, and in flourishing circumstances, the nation partook of these advantages, and that prosperity which invigorated the people also strengthened the nation. We existed as an independent nation; and having a character to form, it was necessary that we should resist foreign invasion on our political & commercial rights; it was no time for receding the privileges we had already enjoyed, but rather for acquiring others. We had not then a motive, except a wish to live in peace, to make a sacrifice when the treaty was formed and at the time it was rejected. What should we have obtained by this treaty? It surely is not not necessary for me to enumerate the different points of collision with Great Britain, and say that none were fixed on a better footing than before that treaty was formed, and many on a much worse.

Upon the subject of impressment however, I conceive that the informal note placed it in a worse situation than that in which it stood before. Why? The principle never had been denied, that our seamen should not be impressed; but under the exercise of the right of taking British deserters, this arrangement permitted it. It never had been contended that Great Britan had a right to take American seamen. They had said they would take their own men; but they never had said that they would excecise this right to the abuse of American citizens; and whenever these men have fallen a sacrifice to press gangs and petty naval commanders, it never has been contended that Great Britain would sanction the acts of her officers. In this arrangement they do not give up the right of search or impressment; but they will endeavor not to to abuse it. Did not the rights and I may add the sensibility of this nation require that Britain should not exercise the right of impressment except it were ascertained that it was impossible that she should abuse it? Was it not one of the primary objects of the mission from the American government to have the subject of impressment, fixed upon an honorable footing? We did not wish the British goverment to relinquish the possibility of getting her deserters; we made every reasonable proposition to meet her justice, and, as far as was compatible with our rights, to accommodate her interests. I believe propositions were offered which would have resulted to the advantage of Great Britain; she, however, was the judge of that, & would not accept of them. We said that G. Britain had a right to reclaim her own citizens; but that ours should not be subject to her press-gangs. What is our situation now? Can we ever give up the principle that our flag shall protect our own seamen? Can we ever submit that our citizens shall be subject to the discretion or pleasure of a British naval commander? If Great Britain had not amused us with a Syren song, the American people would be more indignant than they are on this occasion. But I hope there still exists a due sensibility on this subject; tho' every movement of the American nation shows that we do not wish to go to war. Have these men not rights? How eloquently did the gentleman from Virginia the other day express his indignation that our territorial line had been crossed, & our citizens taken from the bosom of our country: and will he consent that our citizen shall be torn from his country, family and friends, and doomed to serve a long and useful life on board a British man of war, to drag out the remainder of his existence in the service of a foreign power, subject to corporal punishment at the will of a British officer, from an admiral down to a midshipman. This informal arrangement says that they will abstain from the exercise of the right of impressing our citizens, and if impressed, they will make reparation for it. Why should we have accepted a solemn act, much less an informal note, declaring they will abstain from the practice of a right which they cannot claim, and derogatory to our rights? Upon the subject of impressment then should we have gained any thing by the treaty? We may all differ in sentiments, but my opinion is, that so far from gaining any thing, it acknowledges informally the right, although Great Britain promises not to exercise it. It is said that the subject was left open for discussion. Had we not been petitioning long enough? Had not our ministers acted in the capacity of beggars long enough.

I consider the rejection of that treaty as constituting an important æra in the history of this country; and I believe however we may suffer, the people of this country will not retract. We will take our stand; and if we must fall, let us at least have the merit of resistance.

Upon the subject of the colonial trade I shall say but little. I believe nothing was gained on that subject; if nothing was done why make a temporary provision in relation to it. Is it a concession on our part to Great Britain, or on the part of G. Britain to us? If it be a concession on the part of the U. S. to allow their colonial trade to be guarded in this way, the shorter the time the better: if it be an advantage to us, the regulation should be permanent. If neither, why make any agreement in relation to it? We had heretofore enjoyed that trade. What now? The goods must be relanded, and two per cent. paid. Conditions and fees are required on our part upon that commerce. On this subject then nothing advantageous to us is done.

Upon the subject of the East India trade, it is admitted that it is fixed on a worse footing than might have been expected. Our ministers say that they could not withstand the influence of the East India company. Far be it from me to question the integrity of our ministers: it would ill become me, a child of the day, to detract from their merits or well-earned reputation. But it does not follow because they have with difficulty obtained this treaty that it should not have been rejected; or, that it would not have been as replete with evils as Pandora's box.

Upon the subject of blockade there is a small deviation perhaps, and that in the particular instance of evidence. I recollect a particular circumstance attending the negociation on the subject of blockade, and of searching our merchant vessels. It was pressed upon the British government to give us the same advantages as they gave to the northern powers in a treaty with Russia; and although there is an informal arrangement which looks something like this treaty, still they have been so cautious as not to give us any thing; or to give us every thing but that for which we contend.

The subject of spoliations on our commerce is held for further negociation. Nothing done.

These are a few prominent objections with me to the treaty. I cannot say that they are all; for the subject has been introduced into discussion before we could have an opportunity of investigating the papers.

On the subjects of impressment, the East and West India trades, searching our merchant vessels, blockade, and spoliation, nothing material was done.

How then can the embargo be ascribed to the rejection of this treaty? Recollect, that after they had agreed to these formal and informal arrangements, her practice differed from her professions. Are we to put ourselves upon her national justice forever, and she to make professions which she as often violates? At the time of the attack upon the Chesapeake, when we were slumbering in the midst of a negociation for peace (and let it be recollected that the rejection of the treaty could not even have been officially known at the court of London on that day—the 22d of June)—might it not have been expected that her strong professions of friendship and her formal and informal arrangements would have confined her to a peaceable, if not friendly demeanor towards us? She sprung upon one of our national ships, knowing it to be such, and made a prey of our citizens in sight of the American shore. The knowledge that it was a national ship, did not restrain the licentiousness of a British officer. She disavows the act; but makes no reparation for it. After having entered into the arrangements then under consideration by our government, and stipulating by the informal arrangement to exercise the right of impressment with moderation, we might have supposed that she would have shewn more respect to our rights, and exercised her pretended right with more "moderation" than she has displayed.

But there is one point of view in which I have considered our foreign relations, and I deem it important. We have a disposition to be friendly to Great Britain (and I hope we always shall feel that disposition towards her and all others) on honorable terms; but we find that the measure of non-importation, the exercise of our national sovereignty, was a cause of great irritation in Great Britain; and therefore we were to purchase peace by a treaty which we see on the face of it has not settled the important subjects of irritation in this nation. We have always been the complaining party; the acts of injury have been disavowed, or justified—not by justice, but on the principle of retaliation. If we recede again we are lost. In 1785 did she not reject our minister? Was he not rejected in '93? Was not the treaty of Jay hatched up to allow us a little time to follow the common pursuits of industry? I say nothing with a design to produce irritation in relation to the conduct of that nation; I hope we are sufficiently alive to it. I speak of the treaty: Shall we recede from our ground in 1808? Where is the inducement to accept a treaty by which we gain nothing, as the purchase of a peace? Have we done any acts of hostility? Have we invaded her national ships, her territory? Have we captured her merchant vessels or impressed her seamen? What have we done that we must make a sacrifice? Are we weak, defenceless? Let the hour of danger come, and we shall wax strong. I wish no alliance with either Great Britain or France. Gentlemen wish to say to our merchant vessels "you may go out if you can." Agreed.—Those who stay at home will be satisfied with their wisdom, and those who go out will suffer for their temerity. Let us not hold out the idea that we are an independent nation, if we will not maintain our rights. When the rights of other nations come in contact with our own, we will each yield—give and take. But on fundamental principles no yielding!

Upon the subject of the embargo the worthy gentleman from Virginia has made objections to it on a constitutional ground; and held out a distinction between a permanent and a temporary embargo. If we have power to lay an embargo for one day, have we not the power to renew it at the end of that day? If for 60 days, have we not the power to lay it again? Would it not amount to the same thing? If we pass a law to expire within a limited term, we may renew it at the end of that term; and there is no difference between a power to do this and a power to pass laws without specified limit.

It is to be presumed that the public good requires that the embargo should be removed as soon as possible, and as soon as the causes vanish which produced it, it may be removed. I have been pleased with the observations of the gentleman from Virginia in regard to the elective franchise; but where can this be prostrated by the delegation of an authority to the President to suspend the embargo? Are not the people as competent now to detect a lurking monarchy as they have been at any other period? Do you not find the people bearing with patriotism the inconveniences which result from the measures we are compelled to adopt? I can speak with certainty as to the part of the country which I represent, that they do. What could we have done? Had we taken no measures whatever, the property of our merchants would have enriched our enemies; had we suffered our merchant vessels to arm, we should have been in active war in a month. Had we not better remain as we are, prepared to strike a blow or relax upon a change for worse or better of those circumstances which had well nigh annihilated our commerce?

The gentleman has told us that the embargo is well received in Great Britain. Do we not know the warm discussions which have taken place in the British Parliament? Have we not seen the petitions of the people of England, and from our minister himself do we not know that if we are plunged into a war the whole world will say that the cause of America is just? If we are upon wrong ground, let us retract; if not, let us have bare justice, and I for one will be satisfied.

It would give me extreme pain that I should give a sanction to any measure which should look like a dependance on a foreign government: but, if we see our course clear, are we to be diverted from it, because it may be beneficial or otherwise to them? I would not obey the impulse of any foreign power; but I would not be driven from my course because it might operate this or that way on a foreign government: nor, I am convinced, would other gentlemen consult the interest of a foreign government, when adopting measures for the security of our own. Having said this much, I resume my seat. It has not been my design to attack the motives or conduct of our ministers at London. I believe they obtained the best treaty that was in their power; but I believe that it ought to have been rejected, or it was pregnant with mischief.

Mr. RANDOLPH said he would just remind his friend from Kentucky, that he had never conceded the right of Congress to lay a *temporary* embargo.

(Debate to be continued.)

NEW HAMPSHIRE.

The patriotic and intelligent governor of that state has, as usual addressed a communication to the Legislature, replete with patriotic sentiments. He states his having made every exertion within the compass of his power, to arm the state, and prepare for any emergency that may arise; recommending that these preparations should be urged and extended under the sanction of the Legislature.

In regard to the measures of the general government he says:

"You are convened to deliberate and decide on the important matters of state, at a most interesting moment of our public concerns. I doubt not that all the patriotism and unanimity which have for several sessions past marked the proceedings of the Legislature, will be called forth in passing such wholesome laws, and taking such measures as may tend to the happiness and tranquility of the state, and add to the support of the general government, of which we are a part.

"The gloomy prospect of our national affairs, as they relate to foreign government, must impress every serious and reflecting mind, and present to our view, as a nation, the displeasure of Divine Providence. Is it not then incumbent on us to enquire why our Maker is contending with us? We have been greatly exalted in our civil and religious privileges—We have not given God the glory, but have trusted too much to our own strength and wisdom. Let us be persuaded to turn and give thanks and praise to that Being from from all blessings flow; then may we hope that the judgements of Heaven which hang over us may be averted, and that the people will learn righteousness.

"The pacific disposition constantly manifested by our general government, and the wise, patriotic and faithful conduct of those who administer it, have hitherto under Providence, preserved our country from the horrors and devastations of war. It appears to me that every candid and liberal mind must applaud the proceedings of our national government by whom all our foreign relations are regulated.

"It gives me pleasure to inform you that the detachment of the militia called for by the President of the U. S. has been made and organised, and that the returns have been transmitted to the Secretary of War. Several companies of horse and foot have done themselves and the state honor in volunteering their services as a part of the detachment.

"Every measure that we had a right to expect has been adopted by the general government for the defence of our port and harbor. Particular attention has been paid by the Secretary of War, with whom I have had a constant correspondence. Batteries are erecting for our security. Cannon mounted on travelling carriages are ordered for Portsmouth for the protection of the town and port."

On the subject of the improvement of our internal resource, at this time so interesting to the nation, governor Langdon thus expresses himself:—

"The encouragement of agriculture, manufactures and commerce must at all times command the attention of every wise and prudent government; but in our present situation, when our external commerce has nearly ceased and we have great reason to fear that an appeal to arms may be soon made, it becomes the more important that we should take every measure in our power, to improve and increase our internal resources, which will strengthen our independence and give employment to such classes of our citizens, as stand in the most need of it."

PENNSYLVANIA.

We can now say, by advices from all part of Pensylvania, that the *political ticket* of this state, will be—MADISON for President, SNYDER for governor—and that all party distinctions are likely to be reduced, under this ticket to the old denomination of *Democrats and Federalists*—alias, *Whigs and tories.* *(Aurora.)*

New York, June 11.

It is reported that colonel Burr was a passenger in the British packet which sailed on Thursday last.

Rutland, June 4.

A detachment of one hundred and fifty of the militia, made from the 2nd brigade, marched from this vicinity on Tuesday last, to put a stop to the disgraceful pot-ash and lumber rebellion on Lake Champlain.

From the best information we are authorised to state, that the extent of the rebellion which now exists in this state is confined principally to about two or three hundred men, mostly foreigners, (many of them probably employed) who are sculking about the Lake shore, seducing the citizens to embark in their detestable schemes of speculation, and to rebel against the necessary laws of their country. But we believe they will get but few proselytes, who will be so daringly wicked as to attempt to oppose force by force. We however regret to suggest that we are fearful that the opposers of the embargo law and every other measure of the government, whether good or bad, have no disposition to quench but kindle the fire of rebellion—and we only judge them by their works.