he had moved for, and how zealously he had supported that measure, he thought it probable that on more mature reflection he would again change his opinion.

Mr. F. said that as for himself, he was not very liable to be taken with the first impression and therefore not in much danger of being misled by new discoveries. The principles which he advocated had been received and acted upon for at least 14 years, & the first doubt had been only heard of a few days ago. All the branches of the government having deliberately determined that the embargo in present circumstances was expedient, arguments to prove it to be so would now be unnecessary, especially as the members now were much more unanimous in their opinion of its expediency then when it was laid.

The constitutionality of the embargo being demonstrated, the direct question before the committee was, are we not restrained by the constitution or at least by the nature of the government from transferring the power of suspending its operation on any terms to the President, and is it expedient to do so? Mr. F. said the first was a question of some delicacy, about which good men might very much differ, the constitution however was silent on the subject, and theory, by some called the spirit of the government, such as that it consists of three separate and distinct branches, could never be perfectly carried into effect, but only in a limited degree. This was demonstrated by all the American constitutions and by the experience and practice of all other governments. The common theory that though executive power may be transferred legislative power cannot, has also its limitation in practice, these theories are good general rules, but like all other general rules, they have their exceptions in practice. He admitted with the gentleman from Maryland (Mr. Key) that suspending or changing the embargo as it changed the rule of conduct was a legislative act, but not in the full sense of that term. If Congress were to adjourn leaving the embargo as it is in full operation, and the president during the recess were to suspend or change it, solely by his own authority, this would be an assumption of legislative authority and a complete legislative act, in opposition to which the gentleman's arguments would apply with great force, but they do not apply against the transfer proposed in the bill. In the bill before the committee, Congress express its will that the embargo should be suspended as soon as the causes from which it originated ceases, or modified in its operations agreeably to the change of those causes, over which we have no control, these changes, depending wholly on the will of the belligerent powers, it is impossible for Congress to prescribe the contingencies that may produce these changes, so it is impossible to prescribe the specific contingencies on which it would be proper to modify or suspend the embargo, therefore it is only the power of applying the law to cases which are yet uncertain, that is proposed to be transferred to the President. This is not strictly transferring a legislative power, but a latitude of discretion in the execution of the law, a latitude which arises solely from the nature and necessity of the case, and must be justified from that necessity.

Mr F. said that such a latitude being vested by law in the Executive was neither new or singular. A portion of it was to be found in almost all our general laws. In the revenue laws, and in the laws for organising the army and navy, large portions of discretion which depended on the will of the legislature were vested in the Executive departments, and several cases might be produced if he had time to examine, in which the applications of the law depended on the President's opinion of contingent, but probable events as they arose; this arose from the nature of the case. Legislating for existing cases of which all the circumstances are known does not require much discretion to be vested in the Executive; but legislating by anticipation for cases that probably may or may not happen, but which the common defence and general welfare renders it necessary that the legislature should provide for before hand if they should take place, renders a large portion of Executive discretion in such cases absolutely necessary to be vested in the Executive; this is precisely the case with the present bill.

Laws for the internal government of a nation seldom require large portions of discretion to be vested in the Executive; but regulations of commerce with foreign nations always do, because their operations are so much under the control of the regulations of other commercial nations, all of whom vest large portions of discretion in the Executive. By these, changes are often made so suddenly as not to admit of the slow method of convening a deliberative body. In Britain, the most skilful in commerce of any nation in the world, large portions of discretion are constantly vested in the Executive to be exercised by the king in council, or by the lords of trade, as the case may be, but when they exceed the powers, thus from time to time, vested by act of Parliament, as they have done in the late oppressive orders respecting neutrals, they must seek for and obtain an act of indemnity, or pardon from Parliament, as they have recently done; but if this is refused, all who have done so are liable to impeachment, except the King, which in that country goes to life and estate as well character. With us, the President is equally liable to punishment as any other officer. In short there is a very material difference between regulations of foreign commerce in which other nations are a party and laws made solely for the government of our own citizens, over which foreign nations have no control; hence arises the expediency of settling these regulations by commercial treaties negociated and ratified by the Executive.

*Mr. Findley's speech to be continued.*

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## WASHINGTON CITY.

### *MONDAY, JULY 4.*

### *DOMESTIC MANUFACTURES.*

At a Meeting of the Committee appointed to form a plan for the promotion of Domestic Manufactures, it was resolved to invite the citizens of the district of Columbia generally & of the adjacent country, to attend a *Public Meeting* for the purpose of receiving the report of the Committee.

The Committee, therefore, request the Citizens of the District and of the adjacent country, to meet at *Stelle's* hotel, on Monday the 11th inst. at 6 o'clock P. M. when a plan for the establishment of Domestic Manufactures will be submitted.

*July 4—4t*

The return of THIS DAY irresistibly recalls our attention to the day, when thirty-two years since, the American people declared themselves independent. Making a due allowance for the difference of situation between a nation at its birth and one advanced to considerable maturity, there is an interesting similarity between these two eras. In 1776 we declared ourselves independent of a nation whose tyrannical exercise of power left us no alternative but slavery or resistance. In 1808 we are called upon to resist the same invasions attempted by the same nation, with similar violations of right by other powers. In 1775 we refused to hold commercial intercourse with a nation that aimed at exercising over us a cruel despotism. In 1808 the injustice of the same nation, with that of other nations, has driven us into the same measure. It remains for futurity to decide how far the parallel shall be further extended, and to determine whether our manifestation of an unshaken purpose to resist these outrages will recall foreign powers to a sense of justice towards us, or whether, in defence of our rights we shall be compelled to wade through the same scenes of blood, by which our independence was atchieved. At one thing every true American will feel pride; at the general resolution of our countrymen to submit to every sacrifice rather than sanction by a pusillanimous acquiescence the injustice of our enemies. There is a further source of rich consolation. The resources of our country, unlike those of the perilous period of our birth, are such as to insure a certain result, altogether consistent with our wishes. If we are summoned to the field of battle, those who defend us will be well fed, clothed and paid; and their numbers will be such as to command victory; or, should the contest be of a different kind, and be limited to the ocean, however our career of wealth may be arrested, we shall have within ourselves the abundant means of a comfortable subsistence.

In 1776 we had no national existence. In 1808 we find ourselves consolidated by a form of government admirably fitted to defend us against foreign violence, and to protect the independent sovereignties of the states, no less fitted to promote, encourage, and develope our internal resources.

In 1776 our confidence reposed on a theory. In 1808 it rests on an experience of thirty-two years, during which we have enjoyed more tranquility, and attained a higher prosperity than any nation in existence.

In 1776 our numbers scarcely exceeded two millions. In 1808 they transcend six.

In 1776 we had no capital. In 1808 we have a capital equal to all our wants.

If then a righteous cause at that period prompted our patriots and heroes to proclaim, with one voice, their resolution to die rather than submit to the tyranny attempted to be practised over them, how much more forcibly are we called upon to resist similar outrages, when the evils we shall incur will be so comparatively light and trifling?

Let war, with its greatest evils, befal us. However it may impede our growth, it will not prevent us from still continuing the happiest people on the face of the globe. Even grant that its effect should be to rob us entirely of our commerce, what will this deprivation be compared with the wretchedness to which the miserable nations of Europe are exposed?

If, during our revolutionary struggle, we did without commerce, cannot we do without it now? Our agriculture was then very imperfect compared to what it now is. The products of the soil were neither so abundant or varied. We were dependent on others for the important articles of cotton and sugar.

Our navigation was inadequate to the transportation of our productions from the place where they grew to that where they were wanted. At present it is more than adequate to this object.

At that time we had not a single canal or turnpike from one end of the continent to the other. Now, we have several hundreds of these, uniting in many instances, remote parts of the Union.

At that time, we had no monied interest. Now we have a monied interest ready to embark their millions to any rational extent in the promotion of internal improvements.

At that time, our manufactories were in their infancy. Now, they have attained to great importance, their extent being vastly beyond the foreign fabrics imported.

Should then war produce the geatest evil that can be apprehended from it, its worst possible effect would be a change in the direction of the capital and employment of a portion of our citizens, which might, perhaps, eventually prove the greatest blessing that could be conferred upon us.

We should continue to enjoy a plenty of every article essentially to a comfortable subsistence. We should neither feel the scourge of famine, or even dread its possible occurrence. We should be free from the oppression of burthensome taxes. We should still enjoy our rights; and we should have the inestimable felicity of feeling and uniting like a band of brothers, convinced that they possessed a common interest and had a common destiny. Gloomy as war is, it is not the greatest evil to which a people can be exposed; and, when it is the inevitable offspring of the injustice of others it surrounds a just and powerful nation with an armour impenetrable to the shafts of its enemies. Amidst the injuries it inflicts it brings with it some splendid blessings. It enables such a nation, by a striking demonstration of its power, to teach the disturbers of the peace of nations the futility of invading its rights. It inspires the citizens of such a nation with a higher confidence in their strength than they otherwise would possess. It paves the way eventually to a durable period of tranquility and prosperity. It proves the infinite superiority of the interior riches of a flourishing nation over those that emanate from commerce. And, above all, it tends to form a national character, the most happily fitted to elevate us above a servile imitation of the follies and vices of corrupt states.

Let not a spirit of misconstruction view this in the light of an eulogium on war. Far different are the feelings under which it is penned. War, under any circumstances, is admitted to be a great evil. But a beneficent Being seems to have ordained that when it befals a just nation it should lose half its terrors.

In looking back to the glorious period of our revolution, we are called upon once more to commemorate the virtues and talents of the founders of our freedom. There is an astonishing sublimity in the idea that to the virtue and talents, so illustriously practiced and displayed by a few men, we owe, perhaps, not only the universal happiness spread over the country, but even our existence. To estimate the depth of the obligation incurred to these men, it is necessary to realize the probability that but for their noble stand and consummate wisdom the greater portion of us would not have drawn the breath of life, and that of those who did, perhaps the whole would have been doomed to an ignominious slavery. Treated like other colonists, our labor would have been exclusively devoted to swell the luxuries and enjoyments of our oppressors, and to the forging of our own chains. While their splendid palaces and bachanal riots sprang from the sweat of our brow, we should have been subjected to all the horrors of an inexorable tyranny, the more unfeeling because so far removed from the theatre of its oppressions, and only illustrated by its onerous taxes, its brutal soldiery, and its sanguinary punishments. The region, which nature destined for a paradise, would soon have become a desert; the asylum from persecution a prison.

Mark the contrast, presented by our present condition, which is by far a better subject for feeling than description, and with the sentiments it inspires let us raise an imperishable monument to our revolutionary heroes and statesmen. Let us, contemplate towering above the rest, Franklin and Washington, and in the admiration of their virtues render ourselves worthy of being ranked among their sons. Let us like them suffer no grovelling feelings to interfere with the calls of our country. With the immortal Franklin, let us with one voice declare—"while we preserve our reason, we will preserve our honor—and while we preserve our honor, we shall preserve our independence. For national as well as personal honor is the only tenure of independence."

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## DECLARATION OF INDEPENDENCE.

A Declaration, *by the Representatives of the United states, in Congress assembled, July 4, 1776.*

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's GOD entitle them; a decent respect to the opinions of mankind requires, that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator, with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it; and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence indeed will dictate that governments, long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism; it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having, in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation, till his assent should be obtained; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws, for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies, at places unusual, uncomfortable, and distant from the depository of their public records; for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large, for their exercise; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions from within.

He has endeavored to prevent the population of these states; for that purpose, obstructing the laws for naturalization of foreigners; refusing to pass others, to encourage their migration hither; and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers, to harrass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others, to subject us to a jurisdiction, foreign to our constitution, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states:

For cutting off our trade with all parts of the world:

For imposing taxes on us, without our consent:

For depriving us, in many cases, of the benefits of the trial by jury:

For transporting us beyond seas, to be tried for pretended offences:

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument, for introducing the same absolute rule into these colonies:

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments:

For suspending our own legislatures, and declaring themselves invested with power to legislate for us, in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries, to complete the works of death, desolation and tyranny, already begun, with circumstances of *cruelty* and *perfidy*, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages; whose known rule of warfare is, undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress, in the most humble terms: Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked, by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made, by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow those usurpations; which would inevitably, interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them as we hold the rest of mankind; enemies in war; in peace, friends.

We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the World, for the rectitude of our intentions, do, in the name and by the authority of the good people of these colonies, solemnly publish and declare, that these united colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British crown; that all political connection, between them and the state of Great Britain is, and ought to be, totally dissolved; and, that, as free and