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CONGRESS.

IN SENATE.

EMBARGO DEBATE—CONTINUED.

NOVEMBER 22.

MR. WHITE.—I have listened with great pleasure to the gentleman from Kentucky, (Mr. Pope) who has just sat down; but although entertained with his eloquence, have not been convinced by his arguments. I shall not follow him through the New England memorials, or discuss with him the policy of a non-intercourse law, as that is not the question before the Senate; neither shall I join issue with him as to the apparent expediency of laying an embargo at the last session of Congress; but I will endeavor to shew that the operation of this measure upon the country, has been such as now calls most imperiously upon this body to pass the resolution before us. The importance of this subject is admitted on all sides, and the anxiety known to exist throughout every section, and almost in every individual of the community, in relation to the decision now about to be had upon it, is the fullest evidence of the deep and unusual degree of interest universally felt throughout the country, and attaches to the vote we are to give the highest responsibility. Such a responsibility I am not willing to meet, without assigning some of the reasons that influence my opinion. And this I shall do the more cheerfully, as I know they will be in conformity with the sentiments of a vast portion of those I have the honor to represent. The embargo when laid was admitted to be a mere experiment, but one which we were admonished not to resist, as it was to do great things for the United States. It was in a few months to reduce the West Indies to a state of starvation, and to bring the two great belligerent powers of Europe to our feet. In the prophetic language of the President, it was to "keep in safety our merchandize, our vessels and our seamen, these essential resources;" and we were told on all sides, by the numerous advocates of the measure, that it would speedily bring the French and British governments to a sense of justice. But has it, or is it likely to accomplish any of these desirable objects? I grant you, it has kept our merchandise *in safety*, if by that was intended to lock up in our barns and store-houses all the produce of our country to rot upon our hands. And as to our dismantled ark-roofed vessels, they are indeed decaying in *safety* at our wharves; presenting daily to the merchant a melancholy memento of his present or approaching ruin, and forming a suitable monument to the memory of our departed commerce. But where are your seamen? Gone, sir—driven into foreign exile in search of subsistence. The very measure that was to preserve them to their country has banished them from it, and many of them forever. Even the vigilance and terrors of our gun-boat navy have not been sufficient to confine and starve them in our ports. But, sir, the most mortifying disappointment we have to sustain, is the total indifference with which this boasted measure of our administration has been treated by both the belligerents. Instead of coercing them to do us justice, we now know officially that it is neither felt or thought of in France; and the British, so far from offering us terms on the subject, will not even ask us to take it off. Here I will beg leave to read a short passage from Mr. Canning's letter to Mr. Pinkney, of the 23d of September last, shewing most distinctly the sense and determination of the British government on this subject. "His majesty (says Mr. Canning) sees nothing in the embargo laid on by the President of the U. States of America, which varies this original and simple state of the question. If considered as a measure of impartial hostility against both belligerents, the embargo appears to his majesty to have been manifestly unjust, as, according to every principle of justice, that redress ought to have been first sought from the party originating the wrong: and his majesty cannot consent to buy off that hostility which America ought not to have extended to him, at the expense of a concession made, not to America, but to France.

"If, as it has been more generally represented by the government of the United States, the embargo is only to be considered as an innocent, municipal regulation, *which affects none but the United States themselves*, and with which no foreign state has any concern; viewed in this light, his majesty does not conceive that he has the right, or the pretension, to make any complaint of it; and he has made none. But in this light, there appears not only no reciprocity, but no assignable relation between the repeal by the United States of *a measure of voluntary self-restriction*, and the surrender by his majesty of his right of retaliation against his enemies." Here the embargo, as a measure of coercion or retaliation on our part, is officially treated by the British minister even with ridicule: he tauntingly admits, indeed, what is unfortunately too true, that *it is a regulation which affects none but the United States themselves*; and tells us that his majesty neither does nor means to complain of it. And although the gentleman from Kentucky informs us, he has not met with, yet I have seen a recent report made by a French minister to the emperor, in which the embargo is approved of, and applauded, as what it really is, a measure favorable to them, and an act of great self-denial on our part. Under all these circumstances, and every gentleman here knows the facts I state to be correct, why in the name of Heaven continue it? What beneficial end can it produce? The country is at this moment bleeding from every pore under it, without the remotest prospect or probability of ultimately deriving the least possible advantage or security from the measure. And as it is not among the least discouraging of the circumstances belonging to the present state of things, that we are able to make no calculation as to the probable time when we may see the end of the evil; for upon the same principle that the embargo is continued now, it may be continued for twenty or for forty years or at least during the war between the two great contending powers of Europe, which, I presume, no gentleman here expects will be at an end in the life of the present emperor of France, and as long as an Englishman exists with the means and courage to defend the independence of his country.

I am willing to believe, and do believe what the honorable gentleman from Kentucky has just now in substance declared, that the gentlemen who supported the embargo laws at the last session upon this floor, supposed they would be speedily productive of great and beneficial results upon our foreign relations; that they would bring the two great belligerents, and especially England, to just and reasonable terms; and that there would be no occasion for continuing them longer than till they should be known on the other side of the Atlantic. But in all this they now see and know their mistake; they now know, from the most authentic sources, that these laws have produced no alteration in the conduct of either France or England in relation to us; that in fact, they are applauded by the one, and treated with contempt and derision by the other, whilst we are ourselves the suffering and bleeding victims of the rack upon which we vainly expected to torture them.

It is the fate of humanity to err; the wisest and the best of men are liable to it. And all we ask of these honorable gentlemen now, is to come out openly and acknowledge in the face of the nation, the egregious mistake into which they fell; and unite with us in redressing the injuries, and healing the wounds they have so unnecessarily inflicted upon their devoted country. I make this appeal to them with the more confidence, because I know every gentleman here has too much character and patriotism, to be influenced, by the pride of opinion, to consistency in political error. I will submit to you, Mr. President, whether we have not before us sufficient evidence to shew that the administration themselves are now convinced of the impolicy of this measure; and would willingly get rid of it, if they could do so, consistently with the character of infallibility they wish to preserve in the public opinion. I deduce this conclusion from the offer they say they have recently made to the British government, to take off the embargo as to them, and to continue it as to France, provided they would rescind their orders of council. An offer, which, if indeed made unincumbered with other terms, is a complete acknowledgment of a conviction of error on the part of the administration; because, after they had subjected the country to all the deprivations, and ruinous effects of the embargo for more than six months, it was coming to the precise ground we were requested to take in relation to France, by the British government, a year before the embargo was laid, in the famous note of lords Holland & Auckland to Messrs. Monroe & Pinkney, accompanying the British treaty formed by those gentlemen. All they then asked of us was, that we should "not acquiesce in the palpable violation of our rights directed by the Berlin decree if attempted to be enforced;" & surely they could not have contemplated more, than that if France did attempt to enforce that decree, we would interdict all intercourse with her, and continue our commerce with Great Britain; which would be the very effect of the stipulation recently proposed. This proposition from the British government, however, in December, 1806, was spurned with disdain; and now, after the country is half ruined with the experiment of a perpetual embargo, such as I believe was never before practised upon any people, we condescend to beg those very terms, and they refuse to grant them. Sir, the truth is, the administration must now be convinced that the embargo is injuring no one but ourselves, and us it must eventually ruin if persisted in. I regret too this proposition was made, because it has furnished to Mr. Canning an opportunity of offering a most sarcastic insult to the government of this country. He tells Mr. Pinkney in reply to it, that "his majesty would not hesitate to contribute in any manner in his power to restore to the *commerce of the United States* its wonted activity; and if it were possible to make any sacrifice for the repeal of the embargo, without appearing to deprecate it as a measure of hostility, he would gladly have facilitated its removal as *a measure of inconvenient restriction upon the American people.*" *His majesty* would not hesitate to contribute in any manner in his power, to restore to *the commerce of the United States* its wonted activity, and if it were possible without any sacrifice, for the repeal of the embargo, would gladly facilitate its removal as a measure of *inconvenient restriction upon the American people.* I have no faith, Mr. President, in the sincerity of this profession; but I feel most sensibly the severity of the sarcasm, as applied to a measure of our administration that we were confidently told was to bring England to our own terms.

I will now, sir, with the indulgence of the Senate, endeavor to examine as consisely and as correctly as I am capable of, the operation of the embargo upon the commerce and general prosperity of the U. States. According to the last report of the secretary of the treasury, it will be found, that the goods, wares and merchandise of foreign growth and manufacture, exported from the United States in the year prior to the first day of October, 1807, amounted to $59,643,558—All the revenue, all the national and commercial wealth that would have arisen from this very extensive trade, is completely destroyed by the embargo; it is a total loss to the country that can never be recovered. In the same report it appears, that the goods, wares and merchandise, of domestic growth and manufacture, the actual produce of our own country, exported from the U. States in the same year amounted to $48,699,592. The whole commercial profits and national wealth that would have arisen from the exportation and proceeds of this immensely valuable produce, is for the present lost to the country, and a large portion of the merchandise, the produce itself, must be forever lost if the embargo be long continued. All, or nearly all the product of the fisheries, amounting in dolls. to $2,804,000 as likewise the agricultural produce of the country, a few articles, such as tobacco, cotton, rice, &c. excepted, which I have not included in this estimate, amounting to $18,621,000, making in the whole twenty-one millions four hundred and twenty-five thousand dollars, that must be forever lost to the fisherman, the farmer or the merchant; because they are articles of a perishable kind, such as fish, wheat, flour, indian meal, flaxseed, beef, pork, &c. that will not admit of being kept on hand for market. So that if the embargo be now continued the country in fact may be said already to have sustained a clear loss, in her native produce only, of more than twenty-one million of dollars by the measure: besides the duties that would have arisen from near a million and a half of tonnage now idle in our docks; and the immense expense of large detachments of militia, regular troops and a fleet of gun-boats to enforce the laws. And so obnoxious are those laws, that although to enforce their execution we have blockaded our own ports, and hung our own citizens, they are still openly resisted by force, and seriously endanger the domestic tranquility of the country. But, sir, it is to be observed, that the actual loss sustained during the embargo, is not the only evil arising from it; another more permanent is to be apprehended. It will have the effect of throwing the commerce of the world into other and different channels; of inducing foreign nations to seek in other countries what they have heretofore been in the habit of purchasing from us, and what we now deny them. In the single article of cotton, for instance, we now, or did, export more than fourteen million of dollars worth annually, and principally supplied the British manufactories with this article; but it is well known that the soil and climate of the Brazils is equally congenial to the growth of this crop with our own, and with due attention to the cultivation of it, is capable of supplying abundantly all the manufactories of England. Surely then I shall be correct in stating, that the embargo is a premium sufficient to stimulate them to this exertion, and to enable them ultimately to supplant us in the sale of this very valuable staple of some of our southern states. And the intimate connexion known, at present, to exist between the British government and the regency of that country, will greatly aid in producing this result.

Now, sir, let me inquire, during the existence of the present state of things, whence we are to derive our revenue? A consideration certainly of no small importance to a government depending entirely for her revenue upon commerce. Our commerce is now completely at an end, and of course our revenue; by the way, another loss to the nation of at least fifteen millions of dollars annually by the embargo. This I know cannot be felt during the present year, because our treasury is now overflowing with the proceeds of the last. But from what sources are you to obtain money next year, for the support of government, and the payment of the national debt? Are gentlemen ready to resort to a direct tax? No, sir, they love place and power too well. That was once done for the purpose of raising money, I believe to defend commerce, and the people of this country, on that occasion, taught their servants a lesson that I presume will not be shortly forgotten. The President I know in his late message, has given a favorable account of the present state of the treasury; and most kindly indeed expresses much concern as to the best use to be made of the surplus revenue of the next year. Sir, among all the cares and troubles of his successor, I venture to predict this will not be one of them; he will not be plagued with surplus revenue next year. Mr. Jefferson's over-weening anxiety for the public good must have blinded him to the obvious fact, that before he can be well warm in his seat at Monticello, the revenue now bonded for will be collected, and as in consequence of the present abandonment of commerce, there will certainly be no other bonds to become due, it follows necessarily, in the course of your annual expenditures, that by the next meeting of Congress your treasury must be empty; so that instead of being troubled with surplus revenue, it will require all the fiscal talents of the next incumbent of the palace, be him whom he may, to provide the sum essential for the support of government.

The gentlemen who advocate this, I don't know what to call it, terrapin policy—I beg pardon, sir—when driven from every other hold, invariably launch into futurity, and tell us that if we dare to put out our heads in any part of this wide world, we shall get them broke, or, in other words, if we take off the embargo we shall have war. Laying out of view any comparison between the probable expense of war, and the actual loss annually sustained by the embargo, the former bearing no comparison with the latter, let us examine for a moment what foundation there is for this assertion; and whether we might not at this time, even admitting the British orders of council to have their full operation, carry on safely a most extensive and valuable commerce with at least three fourths of the commercial world. I have before me those orders of council; the only restricting clause is in the following words:—"His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that all the ports and places of France, and her allies, or of any other country at war with his majesty, and all other ports or places in Europe, from which, although not at war with his majesty, the British flag is excluded, and all ports or places in the colonies belonging to his majesty's enemies, shall from henceforth be subject to the same restrictions in point of trade and navigation, with the exceptions hereafter mentioned, as if the same were actually blockaded by his majesty's naval forces in the most strict and rigorous manner." As much as I condemn and feel disposed to resist these arbitrary regulations, they certainly do not interfere with, or in any respect embarrass our trade to Indostan, China, Java, Sweden, Gibraltar, England, Scotland, Ireland, Spain, Portugal, Sicily, the whole extent of the Mediterranean and Atlantic coast of Africa, Arabia, the western Isles, and Madeira, Nova Scotia, Canada, the Spanish, Swedish and British West Indies, the Floridas, the Brazils, and all the rest of South America, except Cayenne, as likewise the north west coast of America. These countries too, as will appear by the last report of the secretary of the treasury, receive annually nearly four-fifths of the whole native exports of the U. S. and are certainly none of them, notwithstanding what has been said by the gentleman from Maryland (Gen. Smith) within the purview of the British orders of Council. That gentleman, when on this part of the subject, I will do him the justice to acknowledge, told us he had risen in great haste and was unprepared; and indeed, sir, it would require great haste, and great want of preparation, to justify some of the statements made by the gentleman to the Senate. Among other things equally extravagant, he told us, in the face of the British orders of council I have just read, that we were now interdicted by those orders from any trade with Spain or Portugal; and after referring to Mr. Canning's reply to the committee of merchants, viz. "That neutrals were not now excluded from the ports of Portugal and Spain by those orders;" triumphantly asked us to tell him, as lawyers, whether, if a vessel engaged in that trade was carried into a British court of admiralty, she would be tried by Mr. Canning's conversation with the merchants, or according to the law of the land? I answer the gentleman, not as a lawyer, but as a man of common sense, that she would be tried according to the law of the land. And I wonder it had not occurred to that gentleman, as a man of common sense, that according to the law of the land she must be acquitted. Sir, the express language of these orders is, "that all the ports and places of France and her *allies*, or of any other country at war with his majesty, and all other ports or places in Europe, from which, although not at war with his majesty, *the British flag is excluded, &c.*" And will the gentleman undertake to say here, that Spain and Portugal are now the *allies* of France, or that the British flag is now *excluded from their ports?* No, sir. The gentleman knows they are, at this moment, waging a most exterminating war with France, in defence of their very existence; and that they derive their principal support and subsistence under the British flag. There is no man who can read and understand plain English, and shall examine these orders, but will tell you in a moment that the ports of Spain and Portugal so far from being within their spirit, are not now even within the letter of them. But independent of this, there was a special proclamation of the king, dated on the 4th of July last, notifying to the world, that the blockade no longer existed as to the ports of Spain. The advices, the gentleman has been pleased to detail to us, as received in private letters from Europe, I shall take no notice of; they are entitled to none, unless he will first submit those letters to the Senate, and then we shall give to the information they contain, that weight to which the characters of his correspondents, and their means of acquiring correct information, may entitle it.

Gentlemen, by turning to the last