National Intelligencer.

& WASHINGTON ADVERTISER.

VOL. IX. WASHINGTON CITY, PRINTED BY SAMUEL HARRISON SMITH, PENNSYLVANIA AVENUE. NO. 1318.

FIVE DOLLARS PER ANNUM, WEDNESDAY, MARCH 22, 1809. PAID IN ADVANCE

THE *National Intelligencer* will henceforth be conducted by SAMUEL H. SMITH, and JOSEPH GALES, Jun. and printed at the Office of the *former*, to whom subscribers and correspondents are requested still to address themselves.

The annual price, payable in advance, is *Five* dollars. The punctual compliance with this term is at this time of the greatest importance, and is earnestly requested.

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HOUSE OF REPRESENTATIVES.

FEBRUARY 6.

Debate on raising the Embargo, and authorising Letters of Marque and Reprisal—Continued.

(Mr. Jackson's speech concluded.)

The gentlemen have urged that notwithstanding impressments, &c. we have flourished. Sir, if we made it merely a question of dollars and cents, perhaps we might flourish under the orders in council—but let me ask, do not our national and personal rights transcend in value all such calculations? Are our liberty and independence worth nothing? Gentlemen say, we are all powerful for defence—we wish for no more than to defend our just rights—we are not aiming at conquest, and for defence we will be mighty indeed; in a war against those who dare to assail us. Gentlemen ask us to convince the people that war is necessary, and they will act with spirit and vigor, but not till then. This is true, sir; but by what means are they to be convinced, if they are still incredulous? Those who do not discover the necessity of maintaining our rights, and that we have been deeply injured, must be as callous to feeling as the miserable poltroon who, on being forcibly thrust out of doors, at length discovered that his presence was disagreeable. It is true, as the gentleman states, that the genius of our government leads to peace; but it is honorable peace alone that can be fostered by them; they will prefer war to disgrace, cost what it may. Peace is the sheet anchor of our prosperity; but if forced into war we will be terrible as the tygress robbed of her whelps. With much preparation and deliberation the gentlemen have announced to us their system—one is for trying the pen first and then the sword. Why, sir, we have already tried this war of goose quills long enough; and if we repeat the warfare I should not be surprised at hearing the whole feathered tribe squalling and squeaking like the British merchants and some of our own too, when a bristle belonging to them is touched; they squeak from one end of the nation to the other, and although they make a great cry we get but little wool. Sir, the spirit of the nation has almost been destroyed by this goose quill warfare—I beg pardon of the people, it is the spirit of this House I mean; we write reports, resolutions, bills, &c. we talk and write much about them, until all our spirit evaporates. Not so with the people: we have indeed for some time been lulling them into a fatal security; they have been dozing over our lethargy; but I trust that like a sleeping lion the nation will awake and rise up in its full strength and vigor to assert and maintain its rights. The other gentleman (Mr. Key) is for letting loose these embargoed ships, permit them again to navigate the ocean, and resist by force all search for unlawful purposes. How is the lawfulness of the intended search to be foreseen? While the gentleman was speaking I could not refrain from asking how he would discriminate—I was anxious to know how an ingenious gentleman could manage the subject: he said he would tell me, but he failed to attempt it. The right of search is an acknowledged right, resistance to it is war, or piracy; for instance, (as stated in my previous examination) to ascertain the character of the vessel and cargo. Well, sir, a British ship meets one of your vessels with the intention of enforcing the British orders, but the commander does not order his trumpeter to proclaim it at the mast-head; he comes along side, and orders the captain with his papers on board; unless, out of courtesy, he boards the American vessel. After getting possession of his vessel, the American learns that the object is unlawful, but his vessel is captured; and then, and not till then, he is permitted to resist. Why, sir, resistance comes too late, and ever will, unless we suppose that an intuitive knowledge pervades the navigators of the Ocean. The gentleman wishes to leave the door of reconciliation open a little longer. Sir, I wish not to be misunderstood by gentlemen. Although I can see no possible good that can result from further negociation. I am for a little longer delay. I prefer letting the goose-quills lay idle for a season, and the cannon too—although, as I have remarked, war is not such a dreadful expedient to me, as some gentlemen would represent it; and unless we receive redress, I for one, will say it must be resorted to. I am at present opposed to granting letters of marque and reprisal. If we send out privateers, they will make war; and if we allow our merchants to arm, they will make it also—or if they do not use their guns until they are searched for unlawful purposes, they will be captured, guns and all. If they resist a search, they become the aggressor, and a species of war ensues. It is said that Mr. Canning's last letter proves their sincere desire for peace—proof was indeed necessary; but I would rather rely upon their acts, than their professions. In my opinion this last letter is not less hostile than the former ones. It persists in the unmanly insinuation that we have acted with duplicity, and made our communications with the British government dependant upon our relations with France. He has said, to be sure, it would be gratifying to him to settle all differences with Mr. Pinkney. Perhaps he deemed it politic to hold such language. We, however, must appreciate it according to the actual state of things. I know that I may be asked why, under all these unpropitious appearances abroad, and unfavorable circumstances at home, delay any longer? Why, sir, notwithstanding my want of confidence in their friendly dispositions, I am still willing to await the events of a few fleeting months. As to any inherent regard for our rights, I put it out of the question. I look to more powerful causes—to the occurrences in Spain, and the British disasters there—for there can be no question that their armies have been cut off, unless, as at Dunkirk, they have ran away; and that their dependance was upon their heels, there can be but little doubt, when we look at the map, and examine their marches, in a line parallel to the sea-coast, instead of advancing by the side of the patriots, and upon the frontiers of Spain, disputing the passes through which the enemy had to enter into the country. The British nation are a high-spirited people, and they will illy brook the disgrace of *running*, or (if their armies were compelled to fight) of *being cut off*. Either alternative is ruin to the ministry. When we look at the sensibility excited by the convention in Portugal, we can have little doubt of the effects of the expedition in Spain. About the same time the communications made to Congress will have reached them. They will put down the slanders there, that we were for submitting to France; they will shew the liberal offer made by us to G. Britain; an offer, in effect, to join England against France, by trading with England, and resisting France; and the insolent rejection of the offer. All these concurrent circumstances will crush the ministry, or compel them to relax towards us, and come to an accommodation. Wise politicians yield something to circumstances and appearances; and if we disregard them now, after waiting with so much patience, and at a great sacrifice for so long a time, we could not well answer it to the nation if we rushed into war, if, as is probable, the olive branch is crossing the Atlantic to us.

As to fighting France it is idle; we can't get there, and they can't come here; and their ships are swept from the ocean. I will not join gentlemen in their project of fighting France, and submitting to G. Britain; I am for fighting the enemy who has done us most wrong. The injuries committed by England exceed those by France an hundred fold. While G. Britain kicks us on the high-way, robs and insults, we pocket the affront; but if France like a man on horseback happens to approach us near enough to splatter the mud upon us, and dashes on in full speed; after getting out of sight we offer battle, and taking courage from *our security* we look big and brave. Upon my soul, I believe, that one of the members of this House, (Mr. Quincey) would have nerve enough for such a daring. I am against arming our merchant vessels unless we make war; for on the day they sail the peace of the nation is gone; they have the power of making war transferred to them and they may wage it against whomsoever they please. I am for keeping off the evil day as long as possible, and for pursuing the advice of the good old Laertes to his son, "Beware of entrance in a quarrel, but being in, be firm and thy enemy will beware of thee." I am not for *immediate* war; but let me entreat gentlemen not to abandon the ground we have taken, at a time too when the people from almost every quarter of the union are pledging themselves to support it. There are a few factious spirits to be sure, who clamor against our measures; they have clamored at all times, their *approbation* is not desirable: *it* alone would unhinge the affections of the people in a great degree; but the majority who approbate our course is great indeed; for myself I will yield to the majority do what they may. I will as far as I can, resist those measures which I deem unwise and impolitic, but my resistance shall be confined within the constitutional limits, and I will be ready at all times to coerce others to respect them. If the majority will give up the embargo without substituting war, and thereby submit, however much I deprecate such a surrender of principle I must acquiesce. One argument urged with much effect though certainly of no intrinsic weight is, that we must remove the embargo, or the merchants will do it for us. Sir, on the day we yield to the menaces of a faction our constitution is not worth a straw. If you sacrifice this measure to a faction in the east, you must sacrifice another to a faction in the west; for the moment you buy off one faction you offer a premium to another. Need I refer to particulars? Look at your public lands; there are men daring enough already to assert that selling them is unjust, and that it would be cheaper to take them without buying. If one great principle is to be sacrificed for the merchants; why not for the agriculturalists also? If the merchants triumph over us, I give notice that so far as depends upon me they shall take the consequences, and the seamen too. I will jeopardize the peace of the nation no more for them. Upon a review of our foreign relations I find that these same merchants first stimulated us to assert their rights, and they are now the first to complain: for happen what may, they are always the complainants. They clamored about the colonial trade—look at the Boston memorial written by the very party who have accused their government of improper conduct for insisting on it. We after having incurred the censure of our constituents for expenditures of money, &c. for their protection, find them the first to turn against us; because we do not obey their clamors in all things. If they drive the government into submission I give notice let *them* abide the consequences; if they expect protection let them stay at home; I am unwilling to jeopardise our peace for them again. What will gentlemen give us as a substitute for the embargo? I hope they intend to save appearances at least, and pass a non-intercourse. Remove the embargo without it, and allow the arming of merchants, and my life on it they will fight their way into the tributary ports of G. Britain. Sir, I do not consider this to be a mercantile question merely; it is certainly more, an agricultural, or rather a national one. The merchant will have his profits on the produce, no matter whether the prices be great or small; and the depression of the price is a loss to the farmer. Our produce will not bear the *tax*—flour at two dollars per barrel and other articles in proportion. But if this view be fallacious, it is still a national question—as a nation we are bound to protect our citizens in the exercise of their lawful pursuits. If the merchants be attacked, give *them* protection; they, as an integral part of the nation, ought to be protected; it is our duty to watch over their rights; let us then preserve them from destruction. I never will consent, if they are mindful of their duty, to give them up; and I will not abandon those measures which we have taken merely to gratify the factious spirit which pervades New England. I am sorry to see so many of my friends yielding to their clamors, (which we need not fear) as by yielding, they add fuel to the flame. If our manufacturers were attacked en masse, who would say it is no concern of ours; let them defend themselves? Whenever we lose sight of the principle I contend for, the same argument will apply to the great landed interest of the nation. I am for considering the various portions of our citizens as embarked on one plank, to sink or swim together.

The resistance in New England, it is said, is justified by the example of Virginia. I am proud to see gentlemen willing to cling to her example—for, in 1798, when the resolutions of Virginia were transmitted to the east, the legislatures *there* would not treat them with decency. They resolved that the measures of Virginia were a gross usurpation, and deserving marked reprehension. And what did Virginia resolve? That the constitution had been violated, & that the states who were parties to the compact be invited to co-operate in constitutional efforts to procure a repeal of the obnoxious laws. And what followed? In the capital of Virginia the sedition law was executed; the authorities of the nation had declared it binding, and no man raised his hand to resist it. In N. England, a quarter too where the states were denied the right to concert constitutional measures to repeal the sedition and alien laws, opposition is organized in town meetings, and in the state legislature, to resist the laws by force, and to punish those who attempt to execute them; and this is "the land of steady habits." There can be no doubt that the states who are parties to the compact can interpose, and by uniting their efforts, procure a repeal of laws violating the compact; but the course of wisdom is to do so calmly and dispassionately, as we proposed—not by a seditious and rebellious resistance.

But to return to the subject before the committee. By arming and going out without authority to capture the enemy, our property will be first sacrificed; the enemy will be enriched; and we shall fight to see if he shall keep it: whereas, fighting being inevitable, I am for it while we are whole and strong; sending out the produce invites attack, there are many hungry vultures ready to pounce upon it and ruin will follow. These *bristled* merchants will then deafen you with their cries and utter their complaints to the nation against you for so unwisely managing its concerns as to remove the embargo, and thereby admit a diminution of danger. The great drift of gentlemen seems to be attacking the administration, and artfully evading the question. This is uncandid and incorrect; let censure be applied where it is due—but on all occasions, whether right or wrong, to attack the government for the purpose of saddling it with our misfortunes, and to shield the oppressors, is so inconsistent that it astonishes me to find it persisted in. If they had not been so long successful with their deluded followers, I would apply the fable of the shepherd's boy to them—"when the wolf comes you will not be believed."

Sir, this measure which you are about to abandon, (let me repeat it) has passed in review before the American people—your course has received their decided sanction, as has been evinced by their recent vote in the election of President; they will act with firmness if we do our duty; and although the wisdom of our plans is doubted by some honest men it will yet work well—right, like justice, though you trample upon it, will survive the shock, and ultimately triumph. The picture of war has a tendency to enslave us. There was a time when it was thought wise to risque a war for independence; I hope we will risque it again for its maintenance.

I have hunted gentlemen from their lurking places—I have exposed the deformity of the treaty, which they say should have been accepted by us; and I trust have proven that like laudanum, if it eased the pain it would be by producing a stupor; by lulling the nation to sleep—the sleep of death to your liberties and independence. Sir, I have discussed this subject of great interest, not unmindful of the argument of gentlemen, that repealing the embargo, and permitting the merchants to be scourged will *unite* us—much as I love unanimity I cannot purchase it at so dear a price. If the merchants rush into destruction the nation must feel it—the merchants and farmers too, will feel it, more severely than the embargo; for then instead of a part of our property and produce rotting on our hands, the whole must be irretrievably lost.

15th. BULLETIN OF THE ARMY OF SPAIN.

MADRID, DEC. 7th, 1808.

His majesty has appointed the general of Artillery Senarmont, a gen. of division and major Segur adjutant commandant. The life of the latter officer was at first despaired of; but he is now out of danger.

Count Krakinski, colonel of Polish light horse, although in a bad state of health, always insisted upon charging at the head of his corps.

Corporals Babecki and Woiygurski and Surzyeski, a private, all belonging to the Polish horse, who took colors from the enemy, have been appointed members of the Legion of Honor.

His majesty has also granted eight insignia of the Legion of Honor for the officers, and an equal number for the privates, of the Polish light horse.

The chief of squadron Lubienski, on the 2d inst. discovered, near Guadalaxara, the wrecks of Castanos's army; they were under the command of General Pena, Castanos having, as was said, been cashiered by the Junta.

The Duke of Infantado was one of the first causes of the misfortunes which have befallen his country; he was the principal instrument made use of by England in her destructive projects against Spain; he was the man whom she made use of to divide the father and son, to subvert the throne of king Charles, whose attachment to France was well known, to stir up seditions among the populace against the first minister of that sovereign, to raise to the supreme authority, that young Prince, who, with his marriage with a Princess, of the former royal family of Naples, had contracted that hatred against the French in which that family has always been steady. It was the Duke of Infantado who was principal actor in the conspiracy of the Escurial, and it was to him that the post of Generalissimo of the Spanish armies was confided. He afterwards took the oath from King Joseph in Bayonne, as colonel of the Spanish body guards. On his return to Madrid, he threw off the mask and openly avowed himself the partizan of England. It was in his palace that the English ministers dwelt, it was in his society that the public and private agents of England lived. After having stimulated his fellow citizens to a mad resistance, like a coward and a traitor, under pretext of going for succours, in order to escape by craft from the dangers into which he had drawn his fellow citizens, he fled from Madrid to Guadalaxara, and evinced no kind of anxiety except for the English agent whom he carried with him in his own carriage, and to whom he served as a safe-guard. What will he gain by that conduct? He will lose his titles, he will forfeit his property, which is estimated to be worth two millions annual income, and he will go to London in search of the contempt, disdain and neglect with which England has always rewarded those men who had sacrificed their honor and their country to the injustice of her cause.

As soon as the report of the chief of squadron count Lubienski arrived, the duke of Istria set out with 16 squadrons in order to reconnoitre the enemy. The duke of Belluna followed with the infantry. The duke of Istria, who had arrived at Guadalaxara, found there the rear of the enemy, which was proceeding to Andalusia; he defeated them and took 500 prisoners. The general of division Ruffin and the brigade of dragoons Bordesoult, being informed that